ANNO VICESIMO SEPTIMO & VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

Cap. ccxxxiii.

An Act to authorize the Construction of a Railway from *Hartley* and *Cranbrook* to *Tenterden* in the County of *Kent;* and for other Purposes.

[25th *July* 1864.]

WHEREAS the making of a Railway between *Cranbrook* and *Tenterden* in the County of *Kent* would be of local and general Advantage: And whereas the Persons herein-after named, with others, are willing to construct the said Railway and the several Works connected therewith: And whereas Plans and Sections showing the Lines and Levels of the intended Railway, and Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in or through which the Railway is to be made and maintained, have been deposited with the Clerk of the Peace for the County of *Kent* (and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference): And whereas it is expedient that such working and other Arrangements should be authorized as are herein-after expressed: And whereas the Objects of this Act cannot be obtained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent

Majesty

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,)

8 & 9 Vict. cc. 16. 18. & 20., 22 & 23 Vict. c. 59., 23 & 24 Vict. c. 106., and 26 & 27 Vict. cc. 92. & 118. incorporated.

1. "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," "The Railways Clauses Consolidation Act, 1845," "The Railway Companies Arbitration Act, 1859," "The Railways Clauses Act, 1863," and the "Companies Clauses Act, 1863," are hereby respectively incorporated with and shall form Part of this Act.

Short Title.

2. This Act may be cited for all Purposes as the "*Weald of Kent* Railway Act, 1864."

Interpretation of Terms.

3. Where in this Act the Words "the Company" occur the same means "the Company incorporated by this Act;" and where the Word "Railway" occurs, the same includes the Railway and other Works and Conveniences connected therewith by this Act authorized to be made; and the Expression "Superior Courts," or "Courts of competent Jurisdiction," or any other like Expression in this Act, shall be read and have effect as if the Debt or Demand in respect of which the Expression is used were a Simple Contract Debt and not a Debt or Demand created by Statute, unless there be something in the Subject or Context repugnant to such Construction respectively.

Subscribers incorporated.

4. *William Francis Lawrence*, *Walter Freeth*, and *Joseph Cary*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway, and such Company shall be incorporated by the Name of "The *Weald of Kent* Railway Company," and by that Name shall be a Body Corporate with perpetual Succession, and shall have a Common Seal, and Powers to sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions contained in this Act and the Acts incorporated herewith.

Capital.

5. The Capital of the Company shall be Two hundred thousand Pounds,

Shares.

6. The Number of Shares into which the Capital shall be divided shall be Ten thousand, and the Amount of each Share shall be Twenty-five Pounds.

7. It

Shares not to issue until One Fifth Part paid up.

7. It shall not be lawful for the Company to issue any Share created under the Authority of 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.

Calls.

8. Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls, and Three Fourth Parts of the Amount of a Share shall be the utmost aggregate Amount of Calls to be made in any One Year upon any Share.

Interest not to be paid on Calls paid up.

9. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, to pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him in the Capital by this Act authorized to be raised: Provided always, that nothing herein-before contained shall be deemed to prevent the Company from paying to any Shareholder such Interest on Money advanced by him beyond the Amount of the Calls actually made as shall be in conformity with the Provisions in "The Companies Clauses Consolidation Act, 1845," in that Behalf contained.

Power to borrow on Mortgage.

10. The Company may borrow on Mortgage any Sums of Money not exceeding in the whole Sixty-six thousand Pounds, but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Two hundred thousand Pounds shall have been subscribed for *bonâ fide*, and One Half thereof shall have been paid up, and until the Company shall prove to the Justice, who is to certify, under the Provisions contained in the 40th Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that all such Capital has been subscribed for *bonâ fide*, and Twenty *per Cent.* has been paid on each Share on or before the Issue thereof, and that every Share is held by Subscribers or their Assigns, and for which such Subscribers or their Assigns are legally liable.

Application of Capital.

11. The Monies by this Act authorized to be raised, whether by Shares or Mortgages, shall be applied only in carrying into execution the Objects and Purposes of this Act.

Arrears may be enforced by Appointment of a Receiver.

12. The Mortgagees of the Company may enforce the Payment of the Arrears of Interest or the Arrears of Principal and Interest due on such Mortgages by the Appointment of a Receiver, and in order to authorize the Appointment of such Receiver, in the event of

of the Interest or Principal Monies due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than Twenty thousand Pounds in the whole.

First and other Meetings.

13. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* and *August* in every Year.

Number and Qualification of Directors.

14. Subject to the Provisions herein contained for reducing the Number of Directors the Number of Directors shall be Seven, and the Qualification of a Director shall be the Possession in his own Right of Twenty-five Shares in the Undertaking.

Power to reduce the Number of Directors.

15. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the Number of Directors shall never be less than Five.

First Directors to continue in Office until First Meeting after passing of Act.

16. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act, and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act mentioned, and the several Persons elected at any such Meeting, being neither removed, nor disqualified, nor having resigned, shall continue to be Directors, until others are elected in their Stead, in manner provided by "The Companies Clauses Consolidation Act, 1845," and by this Act or either of them.

First Directors of Company.

17. *William Francis Lawrence*, *Walter Freeth*, *Walter Joseph Fry*, *Joseph Cary*, *Robert Jamieson*, and *Hugh Ward Saunders* shall be the First Directors of the Company.

Quorum.

18. The Quorum of a Meeeting of Directors shall be Three.

Newspaper for Advertisements.

19. The Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be some Newspaper published in the County of *Kent*.

20. It

Deposits for future Bills not to be paid out of the Company's Capital.

20. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now in force or hereafter to be 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 other Railway or to execute any other Work or Undertaking.

Power to make Railway according to deposited Plans.

21. The Company, subject to the Provisions in this Act and the incorporated Acts contained, and to the Powers of Deviation authorized by such last-mentioned Acts, may make and maintain the Railway herein-after described with all proper Approaches, Stations, and other Works and Conveniences connected therewith, in the Line or Course and upon the Lands delineated on the said Plans, and described in the said Books of Reference, and according to the Levels described in the said Sections, and the Company may enter upon, take, and use such of the said Lands delineated on the said Plans and described in the said Books of Reference, as shall be necessary for all or any of such Purposes.

Description of Railways.

22. It shall be lawful for the Company to make, complete, and maintain the Railway and Works following, with all proper Approaches, Stations, Works, and Conveniences connected therewith:

A Railway commencing in the Parish of *Cranbrook* in the said County of *Kent*, in a Field belonging to and in the Occupation of *Louisa Dobell*, situate about Twenty Chains South-eastward of the "*Duke William*" Public House at *Hartley* in the said Parish of *Cranbroook*, and terminating in the Parish of *Tenterden* in the said County of *Kent*, in a Field belonging to *Maria Windsor* in the Occupation of *Edgar Windsor*, situate Eastwards of the Farmhouse known as *Ratsbury* in the said Parish of *Tenterden*.

Land for extraordinary Purposes.

23. The Company may purchase by Agreement any Quantity of Land not exceeding Two Acres for any of the extraordinary Purposes specified in "The Railways Clauses Consolidation Act, 1845."

Powers for compulsory Purchases limited.

24. 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 after the passing of this Act.

Period for Completion of Railways.

25. The Railway shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers of the Company for the making of the Railway or otherwise in relation

tion thereto shall cease to be exercised, except as to so much of the Railway as shall be then completed.

Deposit in Court of Chancery to be forfeited to Crown in certain event.

26. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Fifty-two thousand seven hundred and forty-eight Pounds New Three Pounds *per Centum* Bank Annuities purchased for the Sum of Forty-eight thousand Pounds has been transferred to the Court of Chancery in respect of the Application to Parliament for this Act: And whereas the said Sum of Forty-eight thousand Pounds is Eight Pounds *per Centum* on Six hundred thousand Pounds, the Amount of the Estimate of the Expense of the Railways originally sought to be authorized by this Act, but inasmuch as the Powers of this Act extend only to a Line of Railway between *Hartley* and *Cranbrook* to *Tenterden*, and the estimated Cost of the Undertaking authorized by this Act is only Two hundred thousand Pounds, the Sum required to be deposited in respect of such reduced Estimate is Sixteen thousand Pounds, which Sum, if invested in New Three Pound *per Centum* Bank Annuities on the Day on which the said Sum of Forty-eight thousand Pounds was so invested would have been equal in Value to Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence Stock: Therefore, if at any Time after the passing of this Act the Persons named in the said Warrant or Order, or the Survivors or Survivor of them, or the Majority of such Persons, or the Executors or Administrators of such Survivor, shall apply by Petition to the Court of Chancery for that Purpose, the said Court shall order the Sum of Thirty-five thousand one hundred and sixty-five Pounds Six Shillings and Eightpence, Part of the said Sum of Fifty-two thousand seven hundred and forty-eight Pounds Stock, and a proportionate Part of the Dividends which shall at the Date of the Order have accrued in respect of the last-mentioned Sum of Stock to be transferred and paid to the Parties or Party so applying, or to any other Person or Persons whom they or he may appoint in their Behalf, and the remaining Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence Stock, and the remaining Part of the Dividends accrued up to the Date of the said Order, and the future Dividends of the said Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence Stock shall be held and disposed of by the said Court, as by the said Act of the 9th and 10th Years of Her present Majesty is directed, with reference to Stocks transferred in pursuance of that Act, and the Dividend on such Stocks in the same Manner in all respects as if the said Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence had been the entire Sum named in the said Warrant

Warrant or Order, and transferred into the Court of Chancery with respect to this Application: Provided that, notwithstanding anything contained in the said recited Act the said Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of that Sum, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons, or the Majority of the Persons, named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal to such One Half of the said Capital, and if the said Period shall expire before the Company shall either have opened the Railway for the public Conveyance of Passengers or have given such Proof as aforesaid to the Satisfaction of the Board of Trade, the said Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided that at any Time after the passing of this Act if a Bond in twice the Amount of the said Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence shall have been executed by the Company with One or more Sureties (such Bond to be prepared to the Satisfaction of, and such Surety or Sureties to be approved by, the Solicitor to the Lords Commissioners of Her Majesty's Treasury) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Seventeen thousand five hundred and eighty-two Pounds Thirteen Shillings and Fourpence, if the Company shall not, within the Time limited for the Completion of the Railway, either open the Railway for the public Conveyance of Passengers or prove to the Satisfaction of the Board of Trade that the Company have paid up One Half of the said Capital by this Act authorized to to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital, and if such Bond shall have been deposited with the said Solicitor to the Lords Commissioners, then such Sum of Money

Money and the Interest and Dividends thereof shall be paid to or on the Application of the Person or Persons or the Majority of Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if no such Bond had been executed and deposited as aforesaid; and the Certificate of the Solicitor to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Board of Trade that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

Tolls.

27. The Company may demand and take Tolls for the Use of the Railway any Rates not exceeding the following; (that is to say,)

With respect to the Conveyance of Articles conveyed thereon, or upon any Part thereof, and included within the following Classes:

Class 1. For all Coals, Cinders, Compost, Dung, and all Sorts of Manure, Lime and Limestone, and all undressed Materials for the Repair of Roads or Highways, *per* Ton *per* Mile not exceeding One Penny; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny:

Class 2. For all Coke, Culm, Charcoal, 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, and all other similar Descriptions of Wrought Iron and light Iron Castings not manufactured into Utensils or Articles of Merchandise, *per* Ton *per* Mile not exceeding Three Halfpence; and if conveyed in Carriages belonging to the Company, an additional Sum *per* Ton *per* Mile not exceeding One Halfpenny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny:

Class 3. For all Sugar, Grain, Corn, Flour, Hides, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), Nails, Anvils, Vices, and Chains, *per* Ton *per* Mile not exceeding Twopence; and if conveyed in Carriages belonging to the Company an additional Sum *per* Ton *per* Mile not exceeding Three Farthings; and if propelled by an Engine belonging to the Company,

Company, a further Sum *per* Ton *per* Mile not exceeding One Penny:

Class 4. For all Cotton and other Wools in Carriages, Drugs, manufactured Goods and all other Wares, Merchandise, Fish, Articles, Matters or Things, *per* Ton *per* Mile not exceeding Threepence; and if conveyed in Carriages belonging to the Company an additional Sum *per* Ton *per* Mile not exceeding One Penny; and if propelled by an Engine belonging to the Company, a further Sum *per* Ton *per* Mile not exceeding One Penny:

Class 5. And for every Carriage of whatever Description (not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton), *per* Mile not exceeding Fourpence; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum *per* Mile not exceeding Twopence; and if propelled by an Engine belonging to the Company an additional Sum *per* Mile not exceeding One Penny; and the Sum of One Penny *per* Mile for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for Animals.

In respect of Animals conveyed in Carriages upon the Railways, as follows:

Class 6. For every Horse, Mule, Ass, or other Beast of Draught or Burden, conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the Company a further Sum *per* Mile not exceeding One Penny:

Class 7. For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage, *per* Mile not exceeding One Penny Halfpenny; and that if conveyed in any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Penny:

Class 8. For every Calf, Pig, Sheep, Lamb, or other small Animal conveyed in or upon any such Carriage, *per* Mile not exceeding One Halfpenny; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum *per* Mile not exceeding One Halfpenny; and if such Carriage be propelled by an Engine belonging to the Company, a further Sum *per* Mile not exceeding One Penny.

Tolls for Passengers.

In respect of Passengers conveyed in Carriages upon the Railway, as follows:

For every Person conveyed in or upon any such Carriage, *per* Mile not exceeding Twopence; and if conveyed in or upon any Carriage

Carriage belonging to the Company an additional Sum *per* Mile not exceeding One Penny; and if such Carriage be propelled by an Engine belonging to the Company, an additional Sum *per* Mile not exceeding One Penny.

Regulations as to Tolls.

28. The following Provisions and Regulations shall be applicable to the fixing of such Tolls; (that is to say,)

For Articles or Persons conveyed on the Railway for a less Distance than Three Miles the Company may demand as for Three entire Miles:

For a Fraction of a Mile beyond Three entire Miles, or beyond any greater Number of Miles, the Company may demand in respect of Passengers Tolls and Charges as for One Mile, and in respect of Animals, Minerals and Articles, Tolls and Charges in proportion to the Number of Quarters of a Mile contained in such Fraction, and for this Purpose a Fraction of a Quarter of a Mile shall be deemed a Quarter of a Mile:

For a Fraction of a Ton the Company may demand Toll according to the Number of Quarters of a Ton in such Fraction, and if there be a Fraction of a Quarter of a Ton such Fraction shall be deemed a Quarter of a Ton:

With respect to all Articles, except Stone and Timber, the Weight shall be determined according to the usual Avoirdupois Weight:

With respect to Stone and Timber, Fourteen Cubic Feet of Stone, Forty Cubic Feet of Oak, Mahogany, Teak, Beech, or Ash, and Fifty Cubic Feet of any other Timber, shall be deemed One Ton Weight, and so in proportion for any smaller Quantity.

Tolls for small Parcels and single Articles of great Weight.

29. And with respect to all small Packages and single Articles of great Weight, be it enacted, That, notwithstanding the Rates of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,)

For the Carriage of small Parcels on the Railway, as follows:

For any Parcel not exceeding Seven Pounds in Weight, Threepence;

For any Parcel exceeding Seven and not exceeding Fourteen Pounds in Weight, Fivepence;

For any Parcel exceeding Fourteen Pounds and not exceeding Twenty-eight Pounds in Weight, Sevenpence;

For any Parcel exceeding Twenty-eight Pounds and not exceeding Fifty-six Pounds in Weight, Ninepence;

And for any Parcel exceeding Fifty-six Pounds but not exceeding Five hundred Pounds in Weight, the Company may demand any Sum which they may think fit:

Provided always, that Parcels sent in large aggregate Quantities, although made up of several Parcels, such as Bags of Sugar, Coffee, Meal,

Meal, and the like, shall not be deemed small Parcels, but such Terms shall apply only to single Parcels in separate Packages:

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, or Stone, or other single Article the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand any Sum *per* Ton *per* Mile not exceeding Sixpence:

For the Carriage of any Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber, Stone, or other single Article the Weight of which, with the Carriage, shall exceed Eight Tons, the Company may demand any Sum they may think fit.

Passengers Luggage.

30. Every Person travelling on the Railway may take with him his ordinary Luggage, not exceeding One hundred and twenty Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Maximum Rates of Charge for Passengers.

31. The maximum Rates of Charge to be made by the Company for the Conveyance upon the Railway, including the Tolls for the Use of the Railway, and of Carriages, and for Locomotive, and every other Expense incidental to such Conveyance, shall not exceed the following Sums:

For every Passenger conveyed in a First-class Carriage, the Sum of Threepence *per* Mile:

For every Passenger conveyed in a Second-class Carriage, the Sum of Twopence *per* Mile:

For every Passenger conveyed in a Third-class Carriage, forming Part of a Mixed Train, the Sum of One Penny *per* Mile.

Maximum Charges for Goods and Animals.

32. The maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway and of Carriages, and for locomotive Power and every other Expense incidental to such Conveyance, except a reasonable Sum for loading, covering, and unloading of Goods at any Terminal Station of such Goods, and for Delivery and Collection, and any other Services incidental to the Duty of Business of a Carrier, where such Services or any of them are or is performed by the Company, shall not exceed the Amounts mentioned in the following Table; (that is to say,)

For the Matters herein-before mentioned under Class 1, not exceeding One Penny Halfpenny *per* Mile:

For the Matters mentioned under Class 2, not exceeding One Penny Three Farthings *per* Mile:

For

For the Matters mentioned under Class 3, not exceeding Twopence Halfpenny *per* Mile:

For the Matters mentioned under Class 4, not exceeding Threepence *per* Mile:

For any Carriage mentioned under Class 5, not weighing more than One Ton, not exceeding Threepence *per* Mile, and if weighing more than One Ton, not exceeding One Penny *per* Mile for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton:

For everything mentioned under Class 6, not exceeding Fourpence *per* Mile:

For everything mentioned under Class 7, not exceeding Twopence *per* Mile:

For everything mentioned under Class 8, not exceeding One Penny *per* Mile.

Definition of Terminal Stations.

33. No Station is to be considered a Terminal Station in regard to any Goods conveyed on the Railway which have not been received thereat direct from the Consignor of such Traffic, or are not directed to be delivered thereat to the Consignee.

Restrictions as to Charges not to apply to Special Trains.

34. The Restrictions as to the Charges to be made for Passengers shall not extend to any Special Train that may be required to run upon the Railway, but shall apply only to the Express and Ordinary Trains appointed or to be appointed from Time to Time by the Company for the Conveyance of Passengers and Goods upon the Railway.

Company may take increased Charges by Agreement.

35. Nothing herein contained shall be held to prevent the Company from taking any increased Charges 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 of such Goods (except small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation to such Goods.

Power to enter into Traffic Arrangements with various Railway Companies.

36. Subject to the Provisions contained in "The Railways Clauses Act, 1863," the Company on the one hand and the *South-eastern* Company on the other hand may from Time to Time enter into Contracts or Arrangements with respect to the following Purposes or any of them; (that is to say,)

The Working, Management, Maintenance, and Repair of the Railway or any Part or Parts thereof, and the Collection, Conveyance and Conduct of the Traffic thereof, and the Supply of any Rolling or Working Stock, or of any Officers or Servants required for such Purposes:

The

The fixing and levying of the Tolls, Rates, and Charges arising on the Railway or any Part thereof:

The Division between the Companies Parties to the Contract of the Receipts arising from the Traffic upon the Railway, or which might have been conveyed upon the same, and the Payments to be made respectively by the contracting Companies with respect to any of the Matters aforesaid.

Railways to be deemed continuous.

37. During any such Working Arrangement, in estimating the Tolls and Charges to be paid in respect of Articles or Persons conveyed over the Railway or any Part of the Railway of the *South-eastern* Railway Company, and also over the Railway or any Part of the Railway authorized by this Act, the Distances traversed shall be reckoned continuously on such Railways as though they were One Railway, and the Charges to be made in respect of the Railways so made continuous shall be the Tolls and Charges by this Act authorized; and if the Distance traversed by any such Traffic be for a less Distance than Four Miles no more than a Charge for Four Miles shall be made in respect of such Traffic passing both on the Company's Railway and on the Railway of the *South-eastern* Railway Company.

As to Tolls during Agreement.

38. So long as the said *South-eastern* Railway Company under the Provisions of this Act work the Traffic on the Railways, Tolls and Charges not exceeding such as are authorized by this Act may be demanded and taken by the same Company for the Use of the Railway.

Saving existing Rights to contract.

39. Nothing in this Act contained shall lessen or invalidate the Right to make Contracts which the Company may derive from "The Railways Clauses Consolidation Act, 1845," or from the general Law.

Saving Rights of the Crown.

40. Nothing herein contained shall authorize the Company to take, use, or in any Manner interfere with any Land, Soil, Tenements, or Hereditaments, or any Rights of whatsoever Nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give), neither shall anything in the said Act or Acts contained, divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Railway not exempt from Provisions of present and future General Acts.

41. Nothing herein contained shall be deemed or construed to exempt the Railway or the Company 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 this 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 to be taken by the Company, or of the Rates for small Parcels.

Expenses of Act.

42. All the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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