



### CHAPTER c.

An Act for conferring further Powers on the South Eastern Railway Company and upon the Cranbrook and Paddock Wood Railway Company and for other purposes.

A.D. 1892.

[20th June 1892.]

**W**HEREAS by the Cranbrook and Paddock Wood Railway Act 1882 the Cranbrook and Paddock Wood Railway Company (herein-after called "the Cranbrook Company") were authorised to make a railway to Hawkhurst in that Act described in extension of their authorised railway :

And whereas it is expedient to authorise the South Eastern Railway Company (herein-after called "the Company") and the Cranbrook Company to make and maintain the railway herein-after described in lieu of the railway herein-before referred to and to abandon so much of such last-mentioned railway as may be rendered unnecessary by reason of the construction of the railway by this Act authorised :

And whereas it is expedient that the Company should be empowered to execute the other works herein-after mentioned and to acquire additional lands for the purposes of extending their station siding and other accommodation and for other purposes connected with their undertaking :

And whereas it is expedient that the Company should be empowered to make such conversion and consolidation of parts of the stock forming the capital of the Company as is in this Act provided and that the Company should also be authorised to make and carry into effect schemes for the re-arrangement of the debenture stocks issued by the Company either by way of conversion division consolidation or otherwise as in this Act provided :

And whereas it is expedient that the several periods now limited for the construction of certain works and for the purchase of certain lands in this Act specified be extended as herein-after provided :

And whereas it is expedient that other provisions such as are in this Act contained be made :

A.D. 1892.

And whereas plans and sections showing the lines and levels of the railway road diversion and works by this Act authorised and the lands in or through which the same respectively are intended to be made and plans of the additional lands which the Company are by this Act empowered to acquire and books of reference to those respective plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands respectively have been deposited with the respective clerks of the peace for the counties of London and Kent and are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title.

1. This Act may be cited as the South Eastern Railway Act 1892.

Incorporation of general Acts.

2. The under-mentioned Acts and enactments are except where expressly varied by this Act incorporated with and form part of this Act viz. :—

The Lands Clauses Acts :

The Railways Clauses Consolidation Act 1845 and Part I. (relating to construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partly incorporated with this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction.

The expressions "parish clerks" and "clerks of the several parishes" in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards those parishes or places within the metropolis as defined by the Metropolis Management Act 1855 in which by the standing orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or place is included mean in the first case the vestry clerks of those parishes and in the second case the clerks of those district boards respectively.

The expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or in any Act wholly or partially incorporated with this Act shall for the purposes of this Act be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

A.D. 1892.

The expression "the two Companies" means the Company and the Cranbrook Company either jointly or separately.

4. Subject to the provisions of this Act the two Companies may make and maintain in the lines and within the limits of lateral deviation shown on the deposited plans and according to the levels shown on the deposited sections the railway and the road diversion herein-after in this section respectively described with all stations sidings approaches roads works and conveniences connected therewith and proper thereto respectively and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for the purposes aforesaid The railway and road diversion herein-before referred to and authorised by this Act are respectively as follows:—

Power to make railway and works.

(1.) A railway 1 mile 4 furlongs and 6·08 chains in length to be wholly situate in the county of Kent commencing in the parish of Cranbrook at a point nine miles five furlongs five chains from the commencement of the authorised Cranbrook and Paddock Wood Railway in the field numbered 1945 on the  $\frac{1}{2500}$  Ordnance map and passing in a southerly direction through the parishes of Cranbrook and Hawkhurst and terminating at Gill's Green in the parish of Hawkhurst in the field numbered 189 on the  $\frac{1}{2500}$  Ordnance map at a point on the west side of the Hawkhurst road 15 yards or thereabouts measured in a northerly direction along such road from the northernmost corner of the cottage in the occupation of Benjamin Johnson.

(2.) A diversion of a portion of the road in the parish of Hawkhurst in the county of Kent leading from the Hawkhurst and Hartley main road past Limes Grove to Hawkhurst such diversion commencing in and out of the said road at a point 200 yards or thereabouts measured in a westerly direction along the said road from its junction with the Hawkhurst and Hartley main road and terminating in the road numbered 551 on the  $\frac{1}{2500}$  Ordnance map at a point 18 yards or thereabouts measured in a north-easterly direction from the point of junction of the said road with the road numbered 171 on the said Ordnance map.

A.D. 1892.

Power to deviate.

5. The two Companies in diverting the road herein-before described may deviate from the lines thereof to the extent of the limits of deviation marked on the deposited plans and they may deviate from the levels as shown on the deposited sections to any extent not exceeding five feet but not so as to increase the gradients of the road.

Inclination of road.

6. In altering for the purposes of this Act the road next herein-after mentioned the two Companies may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively (that is to say) :—

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
19	Hawkhurst - -	Public - -	1 in 20.

Widths of certain roadways.

7. The two Companies may make the roadway over the bridges by which the following road will be carried over the railway of such width between the fences thereof as the two Companies think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say) :—

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
9 } 19 }	Hawkhurst - -	Public - -	20 feet.

Lands for extra-ordinary purposes.

8. The two Companies may take by agreement for the extra-ordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 any quantity of land not exceeding three acres but nothing in that Act or in this Act shall exempt the two Companies from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land taken under the powers of this section.

Railway to form part of railways of Cranbrook Company.

9. Subject to the provisions of this Act and of the Railway and Canal Traffic Act 1888 the railway and the works connected therewith constructed under the authority of this Act shall for all purposes whatsoever including the levying of tolls fares rates and charges be deemed to be part of the undertaking of the Cranbrook Company authorised by the Cranbrook and Paddock Wood Railway Act 1877 as varied by subsequent Acts.

**10.** If the railway is not completed within five years from the passing of this Act then on the expiration of that period the powers granted for making and completing the said railway shall cease except as to so much thereof as shall be then completed.

A.D. 1892.  
Period for completion of railway.

**11.** The Cranbrook Company shall abandon the construction of so much of the railway authorised by the Cranbrook and Paddock Wood Railway Act 1882 as will be rendered unnecessary by reason of the construction of the railway by this Act authorised.

Power to abandon railway authorised by Cranbrook Act 1882.

**12.** The abandonment by the Cranbrook Company under the authority of this Act of any portion of the authorised Cranbrook Railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Cranbrook Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Cranbrook Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Cranbrook and Paddock Wood Railway Act 1882.

Compensation for damage to lands by entry &c. for purposes of railway abandoned.

**13.** Where before the passing of this Act any contract has been entered into or notice given by the Cranbrook Company for the purchasing of any land for the purposes of or in relation to any portions of the Cranbrook and Paddock Wood Railway authorised to be abandoned by this Act the Cranbrook Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Cranbrook Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation to be made in respect of railway abandoned.

**14.** Section eight of the Cranbrook and Paddock Wood Railway Act 1882 is hereby repealed and in lieu thereof it is enacted as follows viz. :—

As to re-payment of deposit money.

Whereas pursuant to the standing orders of both Houses of Parliament and to an Act of the ninth year of the reign of

A.D. 1892.  

---

Her present Majesty chapter twenty a sum of one thousand four hundred and seventy-five pounds consolidated three pounds per centum annuities being equal to five per centum upon the amount of the estimate in respect of the railway authorised by the Cranbrook and Paddock Wood Railway Act 1882 (which sum was subsequently converted into and is now represented by an equivalent amount of consolidated two and three-quarters per centum annuities) was transferred to the High Court of Justice Chancery Division in respect of the application to Parliament for that Act And whereas such sum of one thousand four hundred and seventy-five pounds still remains so transferred and is standing in the name of the Paymaster-General for and on behalf of the Supreme Court (which sum is referred to in this Act as the deposit fund) And whereas the amount of the estimate in respect of the railway by this Act authorised does not exceed the amount of the estimate of the said railway authorised by the Cranbrook and Paddock Wood Railway Act 1882 for which railway the railway by this Act authorised is to be substituted Be it enacted that notwithstanding anything contained in the said Act of the ninth year of the reign of Her present Majesty the deposit fund shall not 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 last-mentioned Act or the survivors or survivor of them (which persons survivors or survivor are or is in this Act referred to as the depositors) unless previously to the expiration of the period limited by this Act for the completion of the railway the same be opened for the public conveyance of passengers Provided that if within such period as aforesaid any portion of the railway be opened for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion that the length of the railway so opened bears to the entire length of the railway the High Court shall on the application of the depositors order the portion of the deposit fund specified in the certificate to be paid or transferred to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the said Act of the ninth year of the reign of Her present Majesty to the contrary notwithstanding.

**15.** Section 9 of the Cranbrook and Paddock Wood Railway Act 1882 is hereby repealed and in lieu thereof it is enacted as follows viz. :—

A.D. 1892.  
 Providing  
 for release  
 of deposit  
 fund.

If the railway be not previously to the expiration of the period limited for the completion of the same completed and opened for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred in respect of the railway by this Act authorised and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit And if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Cranbrook Company is insolvent or the undertaking has been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Cranbrook Company or be applied in the discretion of the Court as part of the assets of the Cranbrook Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the said depositors Provided that until the deposit fund has been re-transferred to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

**16.** Subject to the provisions of this Act the Company may stop up and discontinue the portions of roads and footpaths and exercise the other powers herein-after mentioned and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes (that is to say) :—

Power to  
 Company to  
 make other  
 works.

In the county of London—

- (1) They may stop up and discontinue for public traffic so much of Storks Road in the parish of Saint Mary Magdalene Ber-

A.D. 1892.

mondsey as lies between Drummond Road and Clement's Road ;

(2) They may stop up and discontinue for public traffic Clun's Place formerly Elizabeth Place in the said parish of Saint Mary Magdalene Bermondsey ;

(3) They may stop up and discontinue for public traffic so much of Keeton's Road in the said parish of Saint Mary Magdalene Bermondsey as lies between Clement's Road and Storks Road :

In the county of Kent—

(4) They may divert so much of the public footpath adjoining the Company's goods yard at East Farleigh in the parishes of Barming and Maidstone as lies between the commencement of the said footpath at the point where it joins the high road leading from East Farleigh to Maidstone and a point on the said footpath about sixty-six yards or thereabouts from its commencement measured along the said footpath in an easterly or south-easterly direction.

As to vesting of site and soil of portions of footpaths &c. stopped up.

**17.** Subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway the site and soil of the road and portions of footpaths altered stopped up and discontinued under the authority of this Act and the fee simple and inheritance thereof shall if the Company are or if and when they become the owners of the lands on both sides thereof be wholly and absolutely vested in the Company and they may appropriate the same to the purposes of their undertaking.

Road or footpath not to be diverted till substituted work completed.

**18.** No road or footpath or portion of road or footpath which is by this Act authorised to be diverted shall be so diverted until the new road or footpath or other work (if any) which is by this Act authorised to be substituted therefor is completed to the satisfaction of two justices and opened to the public.

Extinguishment of rights of way.

**19.** All rights of way over or along the several roads and footpaths or portions thereof which shall under the provisions of this Act be diverted stopped up and discontinued and all rights of way over any of the lands which shall under the compulsory powers of this Act be purchased or acquired shall be and the same are hereby extinguished.

Purchase of additional lands.

**20.** Subject to the provisions of this Act the Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon take use and appropriate for the purpose of enlarging and extending their stations and siding accommodation and for roads and approaches and for extraordinary



and other purposes of and connected with their undertaking the lands houses and buildings herein-after described or referred to delineated on the deposited plans and described in the deposited books of reference relating thereto namely :—

In the county of Kent—

- (1) Land in the parish of Maidstone one rood or thereabouts in extent belonging or reputed to belong to Fanny Lawrence adjacent to the East Farleigh Station on the Company's railway on the northern side thereof and adjoining on the north side the public footpath leading from East Farleigh to Maidstone ;
- (2) Lands in the parish of Thannington situate on both sides of the Elham Valley Railway and forming parts of the enclosures numbered respectively 97 99 and 100 on the  $\frac{1}{2500}$  Ordnance map of that parish :

In the county of London—

- (3) Land in the parish of Saint Saviour Southwark situate between the Company's railway and Southwark Street and belonging to and in the occupation of Messrs. Measures Brothers ;
- (4) Lands in the parish of Saint Mary Magdalene Bermondsey belonging or reputed to belong to Messrs. Peek Frean and Co. and others and lying between the South Eastern Railway and Clement's Road and Drummond Road :

But nothing in this Act shall exonerate the Company from any action indictment or other proceeding for nuisance in the event of any nuisance being caused by them upon any land taken under the powers of this section.

**21.** The powers of this Act for the compulsory purchase of lands shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

**22.** Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company or the Cranbrook Company as the case may be any easement right or privilege not being an easement of water required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Powers to owners to grant easements.

**23.** Whereas in the exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the

Owners may be required to sell a part only of certain premises.

A.D. 1892.

remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Confirming  
purchase  
of certain  
lands.

**24.** The purchase by agreement by or on behalf of the Company of the lands next herein-after described and now held by them or on their behalf is hereby sanctioned and confirmed and the Company to the extent of their estate and interest therein may hold and use the same for extraordinary purposes as defined in the Railways Clauses Consolidation Act 1845 and for the general purposes of the Company but nothing in that Act or in this Act shall exempt the Company from any action indictment or other proceeding for nuisance in the event of any nuisance being caused by them upon any such lands The said lands are as follow :—

In the county of Kent—

- (1) Land and houses at Tunbridge Wells being the houses and premises numbered 1 2 3 4 6 7 8 9 10 and 11 Poona Road 30 31 and 32 Tunnel Road and 65 67 and 69 Stanley Road ;
- (2) Lands situate in the parish and township of Folkestone adjoining or near to the “down” side of the Company’s Folkestone Junction Station and containing one acre one rood and two perches or thereabouts ;
- (3) Land situate in the parish and township of Folkestone adjoining the east side of the Company’s Folkestone Harbour Branch Railway and containing one acre one rood and thirteen perches or thereabouts ;
- (4) Lands and houses situate in the parish of Dartford being Nos. 98A 100 102 and 104 Overy Street and lands in the rear thereof bounded on the north by the Company’s railway on the west by the River Darent and on the south and east by the ditch running into the said river at or near Messrs. Seager’s foundry ;
- (5) Lands in the parish of Saint Nicholas Rochester abutting on the River Medway and known as Bath Hard Wharf formerly

in the occupation of Messrs. Cochrane and Son and their lessees:

In the county of London—

(6) Lands situate in the parish of Lewisham being houses and premises numbered 8 9 10 11 12 and 13 Collins Street Blackheath:

Provided that the vesting of each of the properties herein-before in this section specified shall be evidenced by a duly stamped deed of conveyance which shall within three months after the passing of this Act be produced to the Commissioners of Inland Revenue and in default of production the ad valorem stamp duty with interest thereon at the rate of five pounds per centum per annum shall be recoverable from the Company with full costs of suit and all costs and charges attending the same.

**25.** (1) The Company shall not under the powers of this Act or under the powers of any former Act extended by this Act purchase or acquire in any parish within the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses nor shall the Cranbrook Company under the powers of this Act nor the Company under the powers of this Act or under the powers of any former Act extended by this Act purchase or acquire in any other city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company or the Cranbrook Company (as the case may be)—

Restrictions on displacing persons of labouring class.

(a) Shall have obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme (hereinafter in this section called "the scheme") for providing new dwellings for such number of persons as were residing in such houses on the respective fifteenth day of December aforesaid or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

A.D. 1892.

(b) Shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the said Secretary of State or the Local Government Board (as the case may be) out of the High Court.

(5) If the Company or the Cranbrook Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may be) by action in the High Court and shall be carried to and form part of the consolidated fund of the United Kingdom :

Provided that the Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company and the Cranbrook Company (as the case may be) may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require And for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be

incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by either of the said two Companies for the purposes of any scheme under this section in the same manner in all respects as if the two Companies respectively were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company and the Cranbrook Company (as the case may be) may on any lands belonging to them or purchased or acquired under this section or any provisional order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company or the Cranbrook Company in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8) All buildings erected or provided by the Company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolitan Management Act 1855 and any Act or Acts amending those respective Acts.

(9) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company and the Cranbrook Company respectively for the purpose of any scheme under this section.

(10) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such

A.D. 1892. inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11) The Company and the Cranbrook Company respectively shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector.

(12) The Company or the Cranbrook Company (as the case may be) shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(13) Any houses on any of the lands shown on the deposited plans or purchased by agreement under the section of this Act of which the marginal note is "Confirming purchase of certain lands" occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and the Cranbrook Company respectively or either of them and for which houses no substitutes have been or are directed to be provided by any scheme approved by the said Secretary of State or the Local Government Board (as the case may be) under the powers of any previous Act relating to the Company or the Cranbrook Company (as the case may be) shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the said Secretary of State or the Local Government Board (as the case may be) is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate.

(14) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for

wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

A.D. 1892.

26. Notwithstanding anything contained in this Act or shown on the deposited plans it shall not be lawful for the Company under this Act within the county of London to encroach upon any part of any street or footway except as regards those parts of Storks Road Clun's Place and Keeton Road shown on the deposited plans as to be stopped up or without the consent of the London County Council to erect or maintain any building beyond the general line of building in any street.

Buildings not to be brought beyond general line &c.

Any buildings erected on any land within the county of London acquired under this Act (except such buildings or parts of buildings as may be used for the purposes of railway works railway sidings or a station) shall be subject to the provisions of the Acts relating to buildings in the metropolis.

27. The Company shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act or upon any hoarding on any lands which may be acquired under this Act and whether during or after the construction of the works within view of any public street within the county of London any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the London County Council and if any such placard or advertisement be affixed or exhibited without such approval the said county council and their authorised officers may remove the same but this provision shall not prevent the Company from exhibiting on the outside of any station placards giving information to the public as to the traffic and business of the Company.

Exhibition of placards in the county of London.

28. The respective periods now limited for the compulsory purchase of lands required for and for the completion of the railway known as the Cheriton Arch Station to Folkestone Harbour Railway described in and authorised by the South Eastern Railway (Various Powers) Act 1885 are hereby extended as regards the purchase of lands until the expiration of a period of two years from the 31st day of July 1892 and as regards the completion of the said railway until the expiration of a period of three years from the 31st day of July 1893.

Extending time for purchase of lands and completion of works authorised by South Eastern Railway (Various Powers) Act 1885.

29. The respective periods now limited for the compulsory purchase of lands required for and for the completion of the Harbour

Extending time for purchase of lands

A.D. 1892.  
—  
and completion  
of works autho-  
rised by South  
Eastern Rail-  
way (Various  
Powers) Act  
1885.

Extension and other works described in and authorised by the South Eastern Railway (Various Powers) Act 1885 are hereby extended as regards the purchase of lands until the expiration of a period of two years from the 31st day of July 1892 and as regards the completion of the said works until the expiration of a period of three years from the 31st day of July 1893.

Extending  
time for com-  
pletion of  
works autho-  
rised by Lydd  
Railway (Ex-  
tensions) Act  
1882.

**30.** The period now limited for the completion of the jetty described in and authorised by the Lydd Railway (Extensions) Act 1882 is hereby extended until the expiration of a period of three years from the 24th day of July 1893.

Extending  
time for pur-  
chase of lands  
authorised by  
Lydd Railway  
Act 1883.

**31.** The period now limited for the compulsory purchase of the lands required for the construction of the railway described in and authorised by the Lydd Railway Act 1883 as varied by the Lydd Railway Act 1885 is hereby extended for a period of one year from the 12th day of August 1892.

Extending  
time for pur-  
chase of lands  
authorised by  
South Eastern  
Railway Act  
1889.

**32.** The period now limited for the compulsory purchase of the lands required for the widening of the Charing Cross Railway described in and authorised by section 4 sub-section (2) of the South Eastern Railway Act 1889 is hereby extended for a period of two years from the 12th day of August 1892.

Extending  
time for pur-  
chase of  
lands autho-  
rised by  
South  
Eastern  
Railway  
Act 1889.

**33.** The period now limited for the compulsory purchase of the lands required for the construction of the deviation railway known as the Loose Valley Deviation Railway described in and authorised by section 4 sub-section (1) of the South Eastern Railway Act 1889 is hereby extended for a period of two years from the 12th day of August 1892 :

Provided that nothing herein contained shall be deemed to extend the time now limited for the compulsory purchase of lands belonging or reputed to belong to Herbert Green of Maidstone in the county of Kent required for the construction of the deviation railway aforesaid.

Extending  
time for pur-  
chase of lands  
authorised by  
South Eastern  
Railway Act  
1887.

**34.** The period now limited for the compulsory purchase of the lands required for the construction of the railway described in and authorised by the South Eastern Railway Act 1887 is hereby extended for a period of two years from the 12th day of July 1892.

Extending  
time for pur-  
chase of addi-  
tional lands  
under South  
Eastern Rail-  
way (Various  
Powers) Act  
1885.

**35.** The period now limited for the compulsory purchase of the additional lands described in and authorised by section 14 sub-section (2) paragraph (c) of the South Eastern Railway (Various Powers) Act 1885 is hereby extended for a period of two years from the 31st day of July 1893.

Extending  
time for  
purchase of

**36.** The period now limited for the compulsory purchase of the additional lands described in and authorised by section 60 sub-



section (3) paragraph (b) of the South Eastern Railway Act 1889 is (without prejudice to the rights of the conservators of the River Medway or to the agreement set forth in the Third Schedule to the South Eastern Railway Act 1889) hereby extended for a period of two years from the 12th day of August 1892 and the period now limited for the compulsory purchase of the additional lands described in section 62 of the same Act is hereby extended for a period of two years from the 12th day of August 1892.

A.D. 1892.  
—  
additional  
lands under  
South  
Eastern  
Railway  
Act 1889.

**37.** The time now limited for the stopping up of the footpaths in the parish of Holy Trinity Hastings in the county of Sussex described in and authorised by section 14 sub-section (a) of the South Eastern Railway Act 1884 and for making the new or substituted footpath thereby authorised is hereby extended until the expiration of a period of three years from the 28th day of July 1892.

Extending  
time for  
stopping up  
footpaths at  
Hastings.

**38.** The directors of the Company may from time to time prepare a scheme or schemes for the re-arrangement of the debenture stocks of the Company or of any of such stocks respectively by the conversion of those stocks or any portions of those stocks respectively into other stocks of such classes and names and of such amounts and with such rates of interest and such other privileges and conditions attached thereto as may be provided in the scheme or schemes or in any other manner provided by the scheme and in case of the withdrawal or rejection or partial rejection of any such scheme they may prepare other or modified schemes in lieu thereof and the following provisions shall apply to any such scheme:—

Re-arrange-  
ment of  
debenture  
stocks.

(1.) The directors shall send a copy of the scheme to all the holders of the stocks to which the scheme relates and shall send with the scheme a notice that the scheme will be submitted to the consideration of a meeting of the holders of the said stocks:

(2.) Not sooner than one month nor later than two months after the circulation of the scheme the directors shall either convene one meeting of all the holders of the stocks to which the scheme relates or separate meetings of the holders of each or any of those stocks as the directors may deem most advisable and shall submit the scheme to the meeting or if there be separate meetings they shall submit to each of the meetings the portion or portions of the scheme relating to the stock represented thereat:

(3.) At any such meeting or meetings the votes of the holders of each class of stock shall be taken separately and if the holders present in person or by proxy at any such meeting and holding

A.D. 1892.

one fourth in value of the amount of any such class of stock represented at the meeting shall object to the scheme the same so far as it relates to that class of stock shall not be carried into effect but those objections shall not apply to or affect the adoption of the scheme so far as relates to any other stock comprised therein and the scheme shall be declared to be approved with respect to every class of stock the holders of which do not object to the scheme in manner aforesaid :

- (4.) The scheme so approved shall be submitted by the directors to an extraordinary general meeting of the Company specially convened with notice of the matter and if the scheme is approved by a majority of the votes of the holders present thereat in person or by proxy it shall be carried into effect by the directors but if the whole or any portion thereof is disapproved of by such majority the scheme or the portion or portions thereof so disapproved of shall not be proceeded with.

Powers for execution of scheme.

**39.** (1) For the purpose of carrying any such scheme of re-arrangement into effect the directors may—

- (a.) Create and issue debenture stocks of such classes amounts and character as may be provided in the scheme and may cancel any debenture stocks required to be cancelled ;
- (b.) Call in and cancel the certificates of any cancelled stock and issue fresh certificates in respect of the substituted stock (but the existing certificates shall remain in force until such issue of fresh certificates) ;
- (c.) Receive or pay as the case may be in cash any sums which may be required to be received or paid in order that substituted stock should be allotted in amounts of ten pounds or multiples of ten pounds ; and
- (d.) Generally do any other act or thing necessary for giving effect to the scheme :

Provided that nothing in this section contained shall be deemed to authorise any diminution in the amount of interest now received by each holder of debenture stock in respect of such stock held by him.

(2) The directors may issue any amount of debenture stock necessary for carrying out any scheme of re-arrangement and the total amount of the debenture stock of the Company may be increased accordingly Provided that the total amount charged in respect of the interest of any debenture stock issued for the purpose of any such scheme of re-arrangement shall not exceed the total amount charged for interest in respect of the stock for which the stock so issued is substituted.

**40.** Any stock substituted in pursuance of this Act or of any scheme of re-arrangement under this Act for any cancelled stock shall be held in the same rights on the same trusts and subject to the same powers provisions charges and liabilities as those in on or to which the cancelled stock was held immediately before the substitution and so as to give effect to and not to revoke any deed will or other disposition disposing of or affecting such existing stock and every such deed will or other disposition shall take effect with reference to the whole or a proportionate part as the case may be of the new stock substituted for the cancelled stock as aforesaid.

A.D. 1892.  
—  
Substituted  
stock to be  
held on same  
trusts as  
old stock.

**41.** The directors of the Company may make such new arrangements for the register of any stock or debenture stock and such alterations in the present registers or other books and documents of the Company as may be rendered necessary by the conversion of the preference stock authorised by this Act or by the carrying out of any scheme under this Act for the re-arrangement of debenture stock.

Register  
&c. of new  
stocks.

**42.** Trustees executors administrators and all other persons holding either any of the preference stock which is authorised to be converted under this Act or any debenture stock which is affected by any scheme of re-arrangement under this Act in any representative or fiduciary capacity are hereby expressly authorised to accept and hold any stock issued either under the provisions of this Act or of any scheme of re-arrangement made in pursuance of this Act in substitution of the stock held by them and they are hereby indemnified for all Acts bonâ fide done by them in pursuance of the provisions of this Act or of any scheme of re-arrangement under this Act.

Powers of  
trustees &c  
to accept  
new stock.

**43.** The Company may with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose from time to time in addition to any sum which they are already authorised to subscribe towards the capital of the undertaking of the Folkestone Sandgate and Hythe Tramways Company (herein-after called "the Tramway Company") subscribe any sum which they think fit not exceeding in the whole the sum of ten thousand pounds and the Company may take and hold shares stock debentures and debenture stock in the capital of the Tramway Company in respect of such subscription Provided that the Company shall not sell dispose of or transfer any of the shares stock debentures or debenture stock in the Tramway Company for which they may subscribe The Company may also with the like authority in addition to any powers already conferred upon them in that behalf and in lieu of subscribing to

Power to in-  
crease sub-  
scription to  
and guaran-  
tee interest  
on capital of  
Folkestone  
Tramways  
Company.

A.D. 1892. — the capital of the Tramway Company from time to time guarantee the payment of interest or dividends or other annual payments on any shares stock or loan of the Tramway Company not exceeding in the whole ten thousand pounds.

Power to increase subscription to and guarantee interest on capital of Cranbrook Company.

44. The Company may with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose from time to time in addition to any sum which they are already authorised to subscribe towards the capital of the undertaking of the Cranbrook Company subscribe any sum which they think fit not exceeding in the whole the sum of thirty thousand pounds and the Company may take and hold shares stock debentures and debenture stock in the capital of the Cranbrook Company in respect of such subscription. Provided that the Company shall not sell dispose of or transfer any of the shares stock debentures or debenture stock in the Cranbrook Company for which they may subscribe. The Company may also with the like authority in addition to any powers already conferred upon them in that behalf and in lieu of subscribing to the capital of the Cranbrook Company from time to time guarantee the payment of interest or dividend or other annual payments on any shares stock or loan of the Cranbrook Company not exceeding in the whole one hundred and thirty thousand pounds.

Power to subscribe to and guarantee interest on capital of Folkestone Pier and Lift Company Limited.

45. The Company may with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose from time to time subscribe any sum which they think fit not exceeding in the whole the sum of ten thousand pounds towards the Folkestone Pier and Lift Company Limited and the Company may take and hold shares or stock in the capital of such Company in respect of such subscription. Provided that the Company shall not sell dispose of or transfer any of such shares or stock for which they may subscribe. The Company may also with the like authority from time to time guarantee the payment of interest or dividends or other annual payments on any shares stock or loan of the Folkestone Pier and Lift Company Limited not exceeding in the whole the sum of ten thousand pounds and may lend money to any amount not exceeding in the whole ten thousand pounds on mortgage of the undertaking of the said limited company.

Company may enter into bonds with customs and excise departments.

46. The Company may with the sanction of the Commissioners of Customs or the Commissioners of Inland Revenue give and grant to Her Majesty under their common seal bonds general or otherwise conditioned for the due removal or exportation of goods

liable to duties of customs or excise or for warehousing or otherwise dealing with such goods in accordance with the laws and regulations of the customs and excise for the time being in force.

A.D. 1892.

**47.** The following provisions shall as and when the Company deem expedient apply to any lands or buildings situate within the metropolis or the borough of Dover or Folkestone in the county of Kent adjoining the Company's railway which the engineer for the time being or some other proper officer of the Company shall certify are not immediately required but may hereafter be necessary for the widening of the railway or for stations and sidings connected therewith which lands and buildings are in this section referred to as the premises and shall not be deemed superfluous lands within the meaning of the Lands Clauses Consolidation Act 1845 :—

As to certain lands adjoining or near the railway or works.

The Company may hold let and exchange the premises and may grant leases of the same or any parts thereof for any term they may think fit Provided that in every lease the Company shall reserve to themselves the right of re-entry in the event of the premises being at any time thereafter required for any of the purposes of their undertaking upon their giving at any time to the lessee his executors administrators or assigns six months notice of their requirements and paying to him or them such an amount of purchase money or compensation as in case of difference shall be settled by arbitration in manner provided by the Lands Clauses Acts for the settlement of cases of disputed compensation :

Nothing contained in this enactment shall be construed to alter any of the provisions contained in the Acts relating to the Company or any agreements entered into by the Company which require the resale or reconveyance of any of the premises to any person named in any such provision or agreement.

**48.** Section 4 of the South Eastern Railway Act 1868 is hereby amended by adding after the word "Company" in line 4 of the said section the words "or of any Company leased or worked by" "the Company or any association or society established by the" "servants of the Company or any Company leased or worked as" "aforesaid or any members of their families" and the said section shall be read and construed accordingly.

Amendment of section 4 of South Eastern Railway Act 1868.

**49.** The Company on the one hand and the Board of Works for the district of Saint Saviour Southwark on the other hand may from time to time enter into and carry into effect alter and rescind agreements in reference to the sale and exchange of lands adjacent to the viaduct of the Company's railway and situate respectively in

As to agreements for exchange of lands with St. Saviour's District Board of Works

A.D. 1892.

Clink Street Bank End and Bankside in the parish of Saint Saviour Southwark in the county of London.

Company and Cranbrook Company may apply corporate funds.

**50.** The Company may apply to any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or are authorised to raise by virtue of any Act relating to the Company and which may not be required for the purposes to which they were by such Act made specially applicable and the Cranbrook Company may apply to the purposes of this Act to which capital is properly applicable (being purposes connected with the Cranbrook and Paddock Wood undertaking) any money which they have raised or are authorised to raise and which may not be required for the purposes to which they were by the Act authorising such capital made specially applicable.

Provision as to general railway Acts.

**51.** Nothing in this Act contained shall exempt either of the two Companies or their railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels.

Costs of Act.

**52.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act.

A.D. 1892.

Describing houses buildings and manufactories whereof portions only are required to be taken by the Company for the purposes by this Act authorised.

County and Parish.	Nos. on Deposited Plans.
COUNTY OF LONDON.	
Parish of Saint Mary Magdalene, Bermondsey - -	28, 92, 147.

Printed by EYRE and SPOTTISWOODE,  
FOR

T. DIGBY FIGOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from  
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or  
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and  
90, WEST NILE STREET, GLASGOW; or  
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.

