



### CHAPTER lxxxix.

An Act to extend the periods now respectively limited for completing and opening certain tramways authorised to be constructed by the Folkestone Sandgate and Hythe Tramways Company and for other purposes. A.D. 1892.

[20th June 1892.]

**W**HEREAS the Folkestone Sandgate and Hythe Tramways Company (herein-after called "the Company") were incorporated by the Folkestone Sandgate and Hythe Tramways Act 1884 for the purpose of constructing certain tramways in the county of Kent:

And whereas it is expedient to extend as herein-after provided the respective periods now limited for the completion and opening for the public conveyance of passengers of certain tramways authorised respectively by the Folkestone Sandgate and Hythe Tramways Act 1886 and the Folkestone Sandgate and Hythe Tramways Act 1889:

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and 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:—

1. This Act may be cited as the Folkestone Sandgate and Hythe Tramways Act 1892. Short title.

2. The period now limited for the construction and opening for the public conveyance of passengers of the tramways authorised by the Folkestone Sandgate and Hythe Tramways Act 1886 (herein-after called "the Act of 1886") and the period limited for the opening of the Tramway No. 1 authorised by the said Act are hereby respectively extended and enlarged for a period of one year from the date of Extension of time for construction and opening of tramways authorised by Act of 1886.

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this Act and the period as so extended shall be deemed to be the period limited by the Act of 1886.

Extension  
of time for  
completion  
of tramways  
authorised by  
Act of 1889.

3. Section 5 of the Folkestone Sandgate and Hythe Tramways Act 1891 is hereby repealed and the period now limited for the completion and opening for traffic of the Tramways Nos. 1 and 2 authorised by the Folkestone Sandgate and Hythe Tramways Act 1889 (herein-after called "the Act of 1889") is hereby extended and enlarged until the twenty-sixth day of July one thousand eight hundred and ninety-three and that time shall be deemed to be the time limited by the Act of 1889 and section 47 of the said Act shall be read and have effect accordingly.

As to repay-  
ment of  
deposit  
money.

4. Whereas pursuant to the Standing Orders of both Houses of Parliament and to an Act of the ninth year of the reign of Her present Majesty chapter twenty a sum of five hundred pounds being five per centum upon the amount of the estimates in respect of the tramways authorised by the Acts of 1886 and 1889 (which sum was subsequently invested in and is now represented by an equivalent amount of consolidated two and three-quarters per centum annuities) has been deposited with the Paymaster-General for and on behalf of the Supreme Court in respect of the respective applications to Parliament for the Acts of 1886 and 1889 which sum is referred to in this Act as the deposit fund 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 warrants or orders 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 the Company shall previously to the expiration of the period limited by this Act for the completion of the tramways open the same for the public conveyance of passengers and if the Company shall make default in so opening the tramways the deposit fund shall be applicable and shall be applied as provided by the next following section Provided that if within such period as aforesaid the Company open any portion of the tramways 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 tramways 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 tramways so opened bears to the entire length of the tramways 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

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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 and the Acts of 1886 and 1889 are respectively amended accordingly.

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5. Section 24 of the Act of 1889 is hereby repealed and in lieu thereof it is hereby enacted as follows:—

Providing  
for release of  
deposit fund.

If the Company do not previously to the expiration of the periods respectively limited for the completion of the tramways authorised by the Acts of 1886 and 1889 respectively complete and open the same 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 tramways or any portion thereof or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by the Acts of 1886 and 1889 respectively and for which injury or loss no compensation or inadequate compensation has been paid and also in compensating all road authorities for the expense incurred by them in taking up any tramway or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of such tramway 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 Company is insolvent and has been ordered to be wound up or the undertaking has been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the Court as part of the assets of the 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 balance of the deposit fund has been repaid to the depositors or has become

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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 said depositors.

Costs of Act.

**6.** 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.

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