

Powers of recited Acts to extend to this Act.

Powers, Authorities, Penalties, Forfeitures, Rules, Remedies, Directions, Articles, Matters, and Things therein contained, (except so far as the same are varied, altered, or repealed,) shall be good, valid, applicable, and effectual for carrying this Act into execution, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same had been repeated and re-enacted expressly and at length in the Body of this present Act.

Repealing Provisions in first-recited Act as to Limitation of Actions.

II. And whereas by the said first-recited Act it was enacted, that no Action, Suit, or Information, nor any other Proceeding, of what Nature soever, should be brought, commenced, or prosecuted against any Person for any thing done or to be done in pursuance of that Act, or in the Execution of the Powers or Authorities or any Orders made, given, or directed in, by, or under that Act, unless Twenty-one Days previous Notice in Writing should be given by the Party intending to commence and prosecute such Action, Suit, or Information, to the intended Defendant, nor unless such Action, Suit, or Information should be brought or commenced within Six Calendar Months next after the Fact committed, or in case there should be a Continuation of Damage, then within Six Calendar Months next after the doing or committing such Damage should have ceased, nor unless such Action, Suit, or Information should be laid and brought in the County or Place where the Matter in dispute or Cause of Action should arise; and the Defendant in such Action, Suit, or Information might plead the General Issue, and give that Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same were done by the Authority of that Act; and if it should appear to have been so done, or that such Action, Suit, or Information should have been brought otherwise than as therein-before directed, then and in every such Case the Jury should find for the Defendant; upon which Verdict, or if the Plaintiff should become nonsuited, or suffer a Discontinuance of his Action, Suit, or Information after the Defendant should have appeared thereto, or if a Verdict should pass against the Plaintiff therein, or if upon Demurrer or otherwise Judgment should be given against the Plaintiff, the Defendant should have Costs, and should have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases: And whereas it is expedient that such Enactment should be repealed; be it therefore enacted, That the same shall be and is hereby repealed.

Power to raise additional Sum of Money by Subscription.

III. And be it further enacted, That it shall be lawful for the said Company to raise and contribute amongst themselves, or by the Admission of new Subscribers, in addition to the Sums of Money which they have raised or are empowered to raise under and by virtue of the said recited Acts, any further Sum of Money not exceeding in the whole the Sum of Forty-five thousand Pounds, in such Proportions as they shall think fit, and for that Purpose to create and issue such and so many Shares of Twenty Pounds each, bearing such annual Sums for such Time as the said Company shall think proper, and to demand such Price for the same respectively as the said Company shall think expedient; and the said Company are hereby authorized to fix the Amount of the Calls upon such Shares, and the Time or Times when the same shall be made; and such new
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or additional Shares so to be created by virtue of this Act shall or may be transferred or assigned from Time to Time, and shall and may be forfeited for Nonpayment of the Calls made thereon, in such and the same Manner as is provided in and by the said first-recited Act with regard to the Calls made on the Shares therein mentioned or referred to; and all Persons whosoever, and their several and respective Executors, Administrators, and Assigns, who shall severally subscribe for One or more of the said new or additional Share or Shares, and shall pay such Sums or Sums of Money as shall be fixed by the said Company as the Price of such Share or Shares, shall respectively be entitled to and receive such proportional Part and Parts of the Profits and Advantages that shall and may arise and accrue from the said Undertaking, and have a Vote or Votes in respect of the same at all Meetings of the said Company to be held in pursuance of the said first-recited Act, with Power and Authority to appoint a Proxy or Proxies in his, her, or their Room or Stead, in such Way and Manner and to the same Extent, to all Intents and Purposes, as is and are enacted and provided in and by the said recited Acts with regard to the Subscribers for the Money authorized to be raised by such Acts.

IV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered, after the said Sum of Forty-five thousand Pounds herein-before authorized to be raised by Shares shall have been subscribed for, to borrow and take up at Interest any Sum of Money not exceeding in the whole the Sum of Fifteen thousand Pounds in such Proportions as they shall think reasonable, either in anticipation or in addition to the said Sum of Forty-five thousand Pounds hereby authorized to be raised by Shares as aforesaid; and the said Company are hereby empowered from Time to Time to mortgage and assign any Lands, Tenements, and Hereditaments belonging to the said Company, and the Rates, Tolls, and other Sums arising or to arise by virtue of the said recited Acts, under the Common Seal of the said Company, as a Security for any Money so to be borrowed, with Interest thereon at such legal Rate as may from Time to Time be agreed upon, to such Person as shall advance the same respectively, or to his Trustee, in the like Manner and Form, and with, under, and subject to the like Provisions, Powers, Remedies, Directions, and Regulations, as are in the said recited Acts contained concerning the borrowing of Money, or securing or recovering the same or the Interest thereof; and the several Persons to whom any Security shall be made under the Authority of this Act shall be equally entitled one with another to the Rates, Tolls, and other Sums, Lands, Tenements, and Hereditaments thereby conveyed and assigned, in proportion to the Sum for which such Security shall be executed, without any Preference by reason of the Priority in Date of any such Mortgage or otherwise howsoever: Provided always, that such Securities, and the Dividends and Interest to arise thereupon, shall not be transferrable unless by Instrument duly stamped, in which the Consideration for such Transfer shall be stated, nor shall any Interest be paid upon the said Securities unless to the *bonâ fide* Holders thereof, or the Parties to whom the same may have been lawfully assigned under an Instrument
duly

Power to
raise an
additional
Sum by
Mortgage.

duly stamped, or to the Agents of such Holders, or Parties duly authorized to receive the same: Provided also, that any Mortgage already made or to be made by the said Company in pursuance of the said recited Acts, or any Assignment thereof, shall have Priority over and shall precede all other Mortgages or Securities of the same Rates, Tolls, Lands, Tenements, and Hereditaments to be granted under the Provisions of this Act.

Power to raise the 15,000*l.* by Shares, instead of Mortgage.

V. And be it further enacted, That in case the said Company, instead of borrowing such further or additional Sum of Fifteen thousand Pounds as aforesaid by way of Mortgage, or continuing the same on Mortgage, shall think it advisable to raise such further or additional Sum, or any Part thereof, by way of Augmentation of their Capital Stock, or shall deem it expedient to borrow or continue at Interest only a Part of the said further or additional Sum by way of Mortgage, and to raise the Remainder or any Part of the Remainder thereof by way of Augmentation of their Capital Stock, then and in either of the said Cases it shall be lawful for the said Company to create and issue and dispose of such an additional Number of new Shares of Twenty Pounds each in the Manner herein-before directed as may be sufficient to augment their Capital Stock by any such further Sum or Sums of Money; and all such further and additional Capital Stock shall be considered as Part of the general Capital Stock of the said Company, and shall be under and subject to the same Provisions, Regulations, Directions, and Management in all respects and to all Intents and Purposes, as if the same had been Part of the Sum of Forty-five thousand Pounds herein-before authorized to be raised by the said Company.

Bye Laws to be confirmed.

VI. And be it further enacted, That no Bye Law which the said Company may have heretofore made under the Authority of the said recited Acts (except such as may relate solely to the Proprietors or Directors of the said Company, or to any of their Officers or Servants,) shall be valid or binding for a longer Period than Six Months from the passing of this Act; nor shall any Bye Law (except as aforesaid) which may hereafter be made by the said Company be valid or binding unless the same shall be allowed by some Judge of One of Her Majesty's Courts of Record at *Westminster*, or by the Justices assembled at some General or Quarter Sessions of the Peace of the County of *Surrey* or the County of *Kent*; which said Justices are hereby authorized and required, on the Request of the said Company, to examine into the Bye Laws which may be tendered to them for that Purpose by the said Company, and to allow of or disallow the same as to them may seem meet; and all Penalties which may be imposed by virtue of any such Bye Laws shall be so framed as to allow the Justice or Justices before whom the same may be sought to be recovered to order the Whole or any Part of such Penalties to be paid.

Rates of Carriage to be charged equally.

VII. And be it further enacted, That the Charges by the said recited Acts or either of them authorized to be made for the Carriage of any Passengers, Goods, Animals, or other Matters or Things to be conveyed by the said Company, or for the Use of any
Steam

Steam Power or Carriage to be supplied by the said Company, shall be at all Times charged equally to all Persons, and after the same Rate in respect of all Passengers, and of all Goods, Animals, or Carriages of a like Description, and conveyed or propelled by a like Carriage or Engine passing on the Line for any Distance; and no Reduction or Advance in any Charge for Conveyance by the said Company, or for the Use of any locomotive Power to be supplied by them, shall be made, either directly or indirectly, in favour of, or against any particular Company or Person travelling upon the said Railway for any Distance: Provided always, that nothing herein or in the said recited Acts or either of them contained shall prevent or be taken to prevent any other Person or Company having or to have any other Railway running into and joining the said *London and Greenwich* Railway from entering into any Contract whatever with the *London and Greenwich* Railway Company for or in respect of the Carriage and Conveyance of Passengers, Goods, Animals, and other Matters and Things between the Point of Junction of such other Railway and *London*, or some Place near thereto, such Passengers, Goods, Animals, and other Matters and Things having passed or being to pass along such other Railway to or from the said Point of Junction respectively, and the Rates or Prices payable for or in respect of such Carriage and Conveyance.

VIII. And whereas it is by the said first-recited Act provided, that where any Bridge or Arch should be erected by the said Company for the Purpose of carrying the said Railway over or across any Road, Street, Way, Lane, or other public or private Passage or Place, such Bridge or Arch should be erected of a Height from the Surface of such Road, Street, Way, Lane, or other Passage or Place to the Soffit of such Bridge or Arch of not less than Eighteen Feet: And whereas the said Railway, or the Inclined Approach thereto, in the Parish of *Saint Alphage, Greenwich*, is laid down to cross a certain Foot Passage called or known by the Name of "*Church Row*" or "*Passage*" of the Width of Ten Feet or thereabouts: And whereas it would be exceedingly inconvenient to the said Company, and of no Advantage to the Persons passing and repassing on Foot through the said Foot Passage, that the Bridge or Arch for carrying the said Railway over the same should be of the Height of Eighteen Feet; be it therefore further enacted, That it shall be lawful for the said Company to build a Bridge or Arch for the Purpose of carrying the said Railway or the Approach thereto over the said Passage of any Height they may think proper, not less than Ten Feet from the Surface of such Passage to the Soffit of such Bridge or Arch, any thing in the said Act contained to the contrary notwithstanding: Provided always, that it shall not be lawful for the said Bridge or Arch to be of a less Height than Twelve Feet from the Surface of the said Way or Passage, nor of a less Breadth than Twelve Feet, without the Consent of the Churchwardens, Overseers, and Governors and Directors of the Poor of the Parish of *Saint Alphage, Greenwich*: Provided also, that after the said Bridge or Arch over the said Way or Passage shall have been constructed the said Company shall and they are

Regulating
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over Church
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hereby required at all Times thereafter, at their own Expence, to keep the Passageway under the said Bridge or Arch well and sufficiently lighted with Gas, to the Satisfaction of the Churchwardens, Overseers, and Governors and Directors of the Parish of *Greenwich* for the Time being; and the said Company shall also, at their like Expence, cause ample Drains to be made for the Purpose of removing and conveying away any Water which may run under such Bridge or Arch, and shall at all Times thereafter keep the said Bridge or Arch, Drains, and all Walls, Brickwork, and other Works belonging thereto, together with such Gas Lamp or Lamps, Lanterns, and Fittings as may be fixed and placed for the Purpose of lighting the Interior of such Bridge or Arch, in good and complete Repair, to the Satisfaction of the Churchwardens, Overseers, and Governors and Directors of the Poor of the said Parish for the Time being.

Annual Account to be made up, and a Copy transmitted to the Clerk of the Peace.

IX. And be it further enacted, That the said Company shall and they are hereby required in each and every Year to cause an annual Account in abstract to be prepared, showing the total Receipts and Expenditure of all Funds levied under or by virtue of this or the said recited Acts for the Year ending on the Thirtieth Day of *June*, or some other convenient Day, in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account duly audited and certified by the Secretary or Clerk for the Time being of the said Company, and shall transmit a Copy of the said Account, free of Charge, to the Clerk of the Peace for the County of *Surrey*, on or before the First Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Company shall omit or neglect to prepare and transmit or cause to be prepared and transmitted such Account as aforesaid, they shall forfeit and pay for every such Omission or Neglect the Sum of Twenty Pounds.

A further Term granted to complete the Railway and Works.

X. And be it further enacted, That the Term granted by the said firstly and lastly recited Acts for completing the said Railway and other Works shall be further extended and enlarged for the Term of One Year, to be computed from the passing of this Act.

If Railway is not completed within such further Term, Powers of Acts to cease.

XI. And be it further enacted, That if the said Railway and other Works shall not have been made and completed within the said further Term hereby granted, all the Powers, Authorities, and Privileges given by this and the said recited Acts for the making and Completion of the said Railway and other Works shall cease and determine, save only and except as to so much of the said Railway and other Works as shall have been declared and certified to be completed before the Expiration of the said further Term by the Justices of the Peace of said Counties of *Surrey* or *Kent* assembled at any Quarter Sessions of the Peace to be held in and for the said County of *Surrey* or for the said County of *Kent* at any Time before the Expiration of the said further Term hereby granted, or

within Six Calender Months after the Expiration thereof, upon the Evidence of Two or more Witnesses upon Oath or Affirmation to be produced before them for that Purpose.

XII. And be it further enacted, That all the Costs, Charges, and Expences of applying for, obtaining, and passing this Act or incident thereto shall be paid and discharged out of the Funds of the said Company, in preference to all other Payments whatsoever. For paying Expences of this Act.

XIII. And be it further enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this or the said recited Acts authorized to be made from the Provisions of any General Act relating to Railways which may pass during the present or any future Session of Parliament. Act not to exempt Railway from Provisions of any General Act.

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

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