



## CHAPTER cx.

An Act for conferring further powers with reference to the South-eastern Railway Company's undertaking and the undertakings of other Companies and for other purposes. A.D. 1887.  
—  
[12th July 1887.]

**W**HEREAS by the Cranbrook and Paddock Wood Railway Acts 1877 and 1879 the Cranbrook and Paddock Wood Railway Company (herein-after called "the Cranbrook Company") were authorised to make the railway and deviation railways in those Acts described ;

And whereas by the Cranbrook and Paddock Wood Railway Act 1882 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 (in this Act called "the Company") and the Cranbrook Company or either of them to make and maintain the railway in this Act mentioned in substitution for the railway and deviation railways authorised by the Acts of 1877 and 1879 and to abandon so much thereof respectively as may be rendered unnecessary by the railway by this Act authorised ;

And whereas it is expedient to authorise the Company to acquire and hold for the general purposes of their undertaking the lands herein-after in that behalf mentioned ;

And whereas it is expedient to extend or further extend as herein-after mentioned the respective periods limited by the Acts herein-after specified for the compulsory purchase of certain lands and for the completion of the railway to Hawkhurst aforesaid ;

And whereas it is expedient that some of the powers and provisions of the existing Acts relating to the Company and to the Cranbrook Company should be amended and that such further powers as are herein-after mentioned including those relating to Folkestone Harbour be conferred upon the Company ;



A.D. 1887. — And whereas it is expedient that other provisions such as are in this Act contained be made ;

And whereas it is expedient to authorise the Company and the Elham Valley Light Railway Company or either of them to stop up the bridle road or footpath and to cross on the level the public road herein-after respectively described ;

And whereas plans and sections showing the lines and levels of the railway 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 Kent and Sussex 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 1887.

Incorporation of general Acts. **2.** The under-mentioned enactments are except where expressly varied by this Act incorporated with and form part of this Act :—  
The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 ;  
The Railways Clauses Consolidation Act 1845 ; and  
Part I. (relating to the construction of a railway) and Part II. (relating to the extension of time) of the Railways Clauses Act 1863.

Interpretation of terms. **3.** In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with this Act have the same respective meanings unless there is something in the subject or context repugnant to such construction and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated with this Act shall 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.



4. Subject to the provisions of this Act the Company and the Cranbrook Company (herein-after called the two companies) or either of them 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 herein-after described with all proper stations sidings works and conveniences connected therewith 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 The railway authorised by this section is:—

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Power to  
make railway  
and works.

A railway 11 miles 5 furlongs 212 yards in length wholly in the county of Kent commencing in the parish of Brenchley by a junction with the South-eastern Railway and terminating in the parish of Cranbrook at or near the north-western side of Pest House Lane.

5. Subject to the provisions of this Act 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 Acts 1877 1879 1882 and 1884 respectively or any of those Acts.

Railway to  
form part of  
railways of  
Cranbrook  
Company.

6. Nothing in this Act or in the Cranbrook and Paddock Wood Railway Acts 1877 1879 1882 or 1884 or in any other Act relating to the Cranbrook and Paddock Wood Railway shall affect the rights of the Postmaster General under the Telegraph Act 1878 to place and maintain telegraphic lines in under upon along over or across the railways and works comprised in the undertaking of the Cranbrook Company and from time to time to alter such telegraphic lines and to enter upon the land and works comprised in such undertaking for the purposes in the Telegraph Act 1878 specified and the Postmaster General shall after the passing of this Act be at liberty to exercise all the rights aforesaid notwithstanding that the undertaking of the Cranbrook Company is owned leased or worked by the Company or amalgamated with the undertaking thereof.

For protec-  
tion of Post  
Office.

7. For the protection of Her Majesty's justices of the peace for the county of Kent the following provisions shall be observed and have effect:—

For protec-  
tion of jus-  
tices of Kent.

(a.) No works affecting any bridge belonging to or under the control of Her Majesty's justices of the peace for the county of Kent or the approaches to any such bridge shall under the powers of this Act be constructed except in accordance with plans and specifications previously submitted to and signed by

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the surveyor for the time being of the county of Kent and the said works shall be executed under the superintendence of the said surveyor and to his reasonable satisfaction and shall be thereafter maintained by the Company at their own expense and under such superintendence as aforesaid. Provided that if the said surveyor neglect to signify his approval or disapproval to the said plans and specifications during one month after the same shall have been submitted to him such neglect or omission shall be deemed an approval.

(b.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the said justices all costs losses damages and expenses which may be occasioned to the justices or to any of their bridges or approaches by reason of the execution or failure of any of the intended works or of any act or omission of the Company or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ of their contractors or others and the Company will effectually indemnify and hold harmless the justices from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission.

(c.) The reasonable costs charges and expenses of and incident to the approval of the said plans and specifications and the superintendence of the works shall be paid by the Company.

Power to cross certain roads on the level.

8. Subject to the provisions in the Railways Clauses Consolidation Act 1845 and in Part I (relating to the construction of a railway) of the Railways Clauses Act 1863 contained in reference to the crossings of roads on the level the two companies or either of them may in the construction of the railway by this Act authorised carry the same with a single line only whilst the railway shall consist of a single line and afterwards with a double line only across and on the level of the roads next herein-after mentioned (that is to say) :—

No. on deposited Plan.	Parish.	Description of Road.
22	Brenchley	Public
13A	Horsmonden	”
4	Goudhurst	”

Width of certain roadways.

9. The two companies or either of them may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the respective companies or the Company think fit not being less than



the respective widths herein-after mentioned in connexion therewith respectively (that is to say) :— A.D. 1887.

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
15	Brenchley	Public	20 ft.
{ 64	"	"	15 "
{ 21	Horsmonden	"	15 "
29	Goudhurst	"	20 "
61	"	"	20 "
70	Cranbrook	"	15 "

**10.** 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 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 :— Purchase of additional lands.

- (a.) Lands in the parish of Frindsbury in the county of Kent being numbers 5, 6, 7 and 8 Doggett Square.
- (b.) Lands in the parish of Holy Trinity Hastings in the county of Sussex adjoining the Company's railway and bounded by that railway Devonshire Road and South Terrace formerly in the occupation of John Howell.

**11.** Section 29 of the Cranbrook and Paddock Wood Railway Act 1877 (lands for extraordinary purposes) is hereby repealed In lieu thereof be it enacted that the quantity of land to be taken by the two companies or either of them by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed five acres but nothing in this Act contained shall exempt the two companies or either of them from any indictment action or other proceeding for nuisance in the event of any nuisance being occasioned by them on any land taken by agreement under the powers of this section. Lands for extraordinary purposes.

**12.** Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the two companies or either of them any easement right or privilege not being an easement of water required for the purposes of this Act in over Power to owners to grant easements.



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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 easements rights and privileges as aforesaid respectively.

Power to abandon railways authorised by Cranbrook Acts, 1877 and 1879. Compensation for damage to lands by entry &c., for purposes of railways abandoned.

**13.** The Cranbrook Company shall abandon the construction of the railway and deviation railways respectively authorised by the Cranbrook and Paddock Wood Railway Acts 1877 and 1879.

**14.** The abandonment by the Cranbrook Company under the authority of this Act of the authorised Cranbrook Railway and deviation railways or works 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 said Acts of 1877 and 1879.

Compensation to be made in respect of railways abandoned.

**15.** 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 railways or works 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 Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Power to stop up bridle road in parish of Newington-next-Hythe.

**16.** The Company and the Elham Valley Railway Company or either of them as the case may be in exercising the powers conferred by the Elham Valley Light Railway Act 1881 and the South-eastern Railway (Various Powers) Act 1885 may stop up and discontinue the use for public and private traffic of the bridle road or footpath situate in the parish of Newington-next-Hythe in the county of



Kent and numbered on the deposited plans referred to in the Elham Valley Light Railway Act 1881 in the said parish and thereupon the site and soil thereof shall be vested in the Company free from all public and private rights. A.D. 1887.

17. Notwithstanding anything to the contrary contained in the Elham Valley Light Railway Act 1881 the Company and the Elham Valley Light Railway Company or either of them may carry the railway by that Act authorised across and on the level of the public carriage road numbered on the deposited plans referred to in that Act 67 in the parish of Elham in the county of Kent Provided that the Company or the Elham Valley Light Railway Company as the case may be shall erect and maintain a footbridge available for the use of the public over the said level crossing and shall interlock the crossing gates with the signals. Elham Valley Railway may be carried on level across a certain road.

18. If the railway and works authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Cranbrook Company and the Company or one of them for making and completing the said railway and works shall cease to be exercised except as to so much thereof respectively as is then completed. Period for completion of railway, &c.

19. The powers herein-before contained for the compulsory purchase of lands under the powers of this Act shall not be exercised after the expiration of three years from the passing of this Act. Period for compulsory purchase of lands.

20. 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 20 a sum of three thousand seven hundred and one pounds six shillings and fivepence New Three per Centum Annuities being equal in value to five per centum upon the amount of the estimate in respect of the railway authorised by the Cranbrook and Paddock Wood Railway Act 1877 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 three thousand seven hundred and one pounds six shillings and fivepence still remains so transferred and is standing in the name of the Paymaster General for and on behalf of the Supreme Court of Judicature in England 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 1877 and of the deviations thereof authorised by the Cranbrook and Paddock Wood Railway Act 1879 for which railway authorised to be deviated as aforesaid the railway Sections 36 and 37 of Cranbrook and Paddock Wood Railway Act, 1877 to apply to railway by this Act authorised.

A.D. 1887. — or alteration under the authority of Parliament of the authorised maximum rates of fares and charges or of the rates for small parcels.

Costs of Act. **42.** All costs charges and expenses of and incident to the preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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Kent and numbered on the deposited plans referred to in the Elham Valley Light Railway Act 1881 in the said parish and thereupon the site and soil thereof shall be vested in the Company free from all public and private rights.

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17. Notwithstanding anything to the contrary contained in the Elham Valley Light Railway Act 1881 the Company and the Elham Valley Light Railway Company or either of them may carry the railway by that Act authorised across and on the level of the public carriage road numbered on the deposited plans referred to in that Act 67 in the parish of Elham in the county of Kent Provided that the Company or the Elham Valley Light Railway Company as the case may be shall erect and maintain a footbridge available for the use of the public over the said level crossing and shall interlock the crossing gates with the signals.

Elham Valley Railway may be carried on level across a certain road.

18. If the railway and works authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Cranbrook Company and the Company or one of them for making and completing the said railway and works shall cease to be exercised except as to so much thereof respectively as is then completed.

Period for completion of railway, &c.

19. The powers herein-before contained for the compulsory purchase of lands under the powers of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

20. 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 20 a sum of three thousand seven hundred and one pounds six shillings and fivepence New Three per Centum Annuities being equal in value to five per centum upon the amount of the estimate in respect of the railway authorised by the Cranbrook and Paddock Wood Railway Act 1877 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 three thousand seven hundred and one pounds six shillings and fivepence still remains so transferred and is standing in the name of the Paymaster General for and on behalf of the Supreme Court of Judicature in England 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 1877 and of the deviations thereof authorised by the Cranbrook and Paddock Wood Railway Act 1879 for which railway authorised to be deviated as aforesaid the railway

Sections 36 and 37 of Cranbrook and Paddock Wood Railway Act, 1877 to apply to railway by this Act authorised.



A.D. 1887. — by this Act authorised is to be substituted Be it therefore enacted that subject to the provisions of this Act the provisions contained in the Cranbrook and Paddock Wood Railway Act 1877 sections 36 and 37 shall extend and apply to the railway by this Act authorised and to the period by this Act limited for the completion thereof as if the last-mentioned railway and period for its completion were the railway and period respectively mentioned in the Cranbrook and Paddock Wood Railway Act 1877.

Release of Cranbrook deposit on railway being opened.

**21.** In the event of the opening for the public conveyance of passengers of the railway by this Act authorised within the period by this Act limited and subject to the provisions of section 37 of the Cranbrook and Paddock Wood Railway Act 1877 with respect to the payment of compensation to landowners and other persons injured and for the protection of creditors the High Court of Justice shall on production of a copy of this Act and of evidence of the opening for the public conveyance of passengers of the said railway 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 Act of the ninth year of Her present Majesty chapter 20 in respect of the Cranbrook and Paddock Wood Railway Act 1877 or the survivor or survivors of those persons order the payment and transfer to them or him of the sum transferred with respect to the last-mentioned Act and any interest or dividends which may have accrued thereon.

Revival of power to take lands required for Cranbrook and Paddock Wood Railway.

**22.** Notwithstanding the expiration of the period limited by the Cranbrook and Paddock Wood Railway Act 1882 for the compulsory purchase of lands required for the purposes of the railway by that Act authorised the two companies or either of them may exercise such power for a period of three years from the 12th day of July 1885.

Extension of time for completion of Hawkhurst extension.

**23.** The time limited by the Cranbrook and Paddock Wood Railway Act 1882 for the completion of the railway by that Act authorised is hereby extended until the expiration of three years from the 12th day of July 1887.

Extending time for purchase of certain lands under South-eastern Railway (Various Powers) Act, 1882.

**24.** The time limited by the South-eastern Railway (Various Powers) Act 1882 as extended by the South-eastern Railway (Various Powers) Act 1885 for the compulsory purchase of the lands mentioned in section 12 subsections 1 and 4 of the first-named Act is hereby extended until the expiration of a period of one year from the 10th day of August 1887.

Extending time for purchase of certain lands under South-eastern Rail-

**25.** The time limited by the South-eastern Railway (Various Powers) Act 1884 for the compulsory purchase of the lands mentioned in section 5 subsections 1 (a) (b) (c) and section 3 (a) and



(b) thereof is hereby extended until the expiration of a period of two years from the 28th day of July 1887.

way (Various Powers) Act, 1884.

**26.** The time limited by the South-eastern Railway (Various Powers) Act 1885 for the compulsory purchase of the lands authorised to be purchased by and described in section 18 of the South-eastern Railway Act 1880 is hereby further extended until the expiration of a period of one year from the twenty-sixth day of August 1887.

Extending time for purchase of certain lands under South-eastern Railway (Various Powers) Act, 1880.

**27.** The two companies or either of them shall not under the powers of this Act nor under the powers of any former Act whereby the time for the compulsory purchase of lands by either of the two companies is limited and which powers and time are respectively by this Act amended and extended purchase or acquire in any parish within the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or beyond the metropolis in any city borough or other urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which on the 15th day of December last were or have since been occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

Restriction on displacing persons of labouring class.

- (1) They respectively 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 for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last 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
- (2) They respectively 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.
- (3) 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.

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(4) 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.

(5) 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 under this section or of any modifications of any such 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 of Justice.

(6) If the two companies or either of them 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 such house or houses in contravention of the requirements of the scheme the two companies or the Company (as the case may be) 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 of Justice 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.

(7) For the purpose of carrying out any scheme under this section the two companies or either of them may appropriate any lands for the time being belonging to them or which they have powers 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 outside the metropolis by the two companies or either of them for the purposes of any scheme under this section in the same manner in all respects as if the two companies or either of them were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.



(8) The two companies or either of them 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 two companies or either of them 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 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 subsection subject to such conditions if any as they may see fit.

(9) 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 the same respectively.

(10) 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 for the purpose of any scheme under this section.

(11) 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 inspectors for the purpose of any such inquiry and the inspectors so appointed shall for the purpose of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by that Board under the Public Health Act 1875.



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- (12) The two companies or as the case may be one of them 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) The Company 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.
- (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 of such persons who may be residing with them.

As to provision of dwelling-houses for Company's servants.

**28.** The Company may from time to time purchase by agreement and hold land for the purpose of erecting and maintaining and they may erect and maintain thereon dwelling-houses and cottages for the occupation of any of their officers servants and workmen and of the officers servants and workmen of their contractors or agents and families of the same respectively and they may demise and let such dwelling-houses and cottages for the purposes aforesaid at such rents and upon such terms and conditions as the Company may think fit.

Company may advance money to their employés for purpose of providing dwelling-houses.

**29.** The Company may from time to time lend and advance such sums of money not exceeding in the whole twenty-five thousand pounds on such security and conditions as to repayment or otherwise as the Company may think fit and at such rate of interest to be fixed by the Company from time to time with the approval of proprietors present in person or by proxy at a general meeting of the Company specially convened for the purpose holding and representing at least three fourths in value of the paid up share capital of the Company represented at such meeting to any of their officers servants and workmen in sums not exceeding seven hundred and fifty pounds in any one case for the purpose of enabling them respectively to purchase freehold or leasehold dwelling-houses and cottages held in the case of leaseholds for an unexpired term of not



less than thirty years for the use and occupation of themselves and their families.

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**30.** Section 27 of the South-eastern Railway (Various Powers) Act 1884 is hereby amended by the substitution of the words "five years" for the words "one year" therein contained.

Amendment of section 27 of South-eastern Railway (Various Powers) Act, 1884.

**31.** The Company on the one hand and the conservators of the River Medway on the other hand may from time to time enter into and carry into effect and alter or rescind agreements with reference to the construction by the Company of such works in connexion with their authorised pier and works at Port Victoria as may be agreed upon on the bed shore and soil of the River Medway.

Authorising agreements with Medway Conservators.

**32.** If the Company shall at an extraordinary general meeting of the Company by the votes of the proprietors present personally or by proxy holding at least three fourths of the paid up capital represented at such meeting pass a resolution to the effect that it is expedient that so much of the capital not exceeding four hundred thousand pounds to be hereafter raised by the Company under the South-eastern Railway (Various Powers) Act 1885 as would be applicable to the construction and purposes of the piers breakwaters and harbour works by that Act authorised be constituted a separate capital and that such works together with the existing harbour and harbour works at Folkestone (if it should hereafter in manner aforesaid be determined to include the same) be constituted a separate undertaking then the said piers breakwaters and harbour works and the said existing harbour and harbour works or either of them as may be determined as aforesaid with all lands buildings and property purchased or to be purchased for the purposes thereof respectively shall on such terms and conditions as to the apportionment of revenue and expenditure and otherwise as may be agreed form a separate undertaking (herein-after referred to as the separate undertaking) distinct and apart from the rest of the Company's undertaking and shall be called the Folkestone Harbour undertaking or by some other distinctive name and the Company may accordingly construct work manage and maintain the said separate undertaking and they may out of their general revenue funds or otherwise guarantee or otherwise secure the payment of interest dividend rent or other payment not exceeding three pounds per centum per annum upon and in respect of such separate capital or any part thereof Provided that if the separate undertaking be constituted as herein provided the capital required therefor or applicable thereto shall be raised as ordinary capital only and not as preference capital.

Provision for separate undertaking of Folkestone Harbour Works authorised by South-eastern Railway (Various Powers) Act, 1885.

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Management of separate undertaking.

**33.** The directors of the Company may make such regulations and byelaws as they think necessary as to the control working and management of the separate undertaking and as to the exercise of the powers by this Act conferred on the Company in respect of such separate undertaking and they and any committees appointed by them for the purpose of that undertaking shall have and may exercise all such and the same powers with respect thereto as they might have or exercise with respect to any other part of the Company's undertaking.

Exemption of general undertaking from liabilities affecting separate undertaking and vice versa.

**34.** The general undertaking of the Company shall not be liable for the principal or interest of any mortgage or debenture debt or other charge on the separate undertaking nor shall the separate undertaking be liable for any such charge as aforesaid upon the said general undertaking.

Separate accounts.

**35.** Separate accounts shall be kept of the capital and revenue of the separate undertaking and of the payments made in respect thereof in the same form and subject to the same conditions as nearly as may be as if the separate undertaking belonged to an independent company.

Repayment to general undertaking of money spent for purposes of separate undertaking.

**36.** The directors of the Company may from time to time make such provision as to them seems expedient for repayment by the separate undertaking to the general undertaking of the Company of money expended or to be expended out of the revenue or capital of the general undertaking for any of the purposes of the separate undertaking.

Power to guarantee interest on capital of Folkestone Tramways Company.

**37.** The Company may with the approval of proprietors present at a general meeting of the Company specially convened for the purpose holding and representing at least three fourths in value of the paid up share capital of the Company represented at such meeting from time to time guarantee the payment of interest or dividends or other annual payments on any share stock or loan of the Folkestone Sandgate and Hythe Tramways Company and may take and hold shares or stock in the said undertaking not exceeding ten thousand pounds Provided that the shares or stock so taken by the Company shall not be sold transferred or disposed of by them.

Company and Cranbrook Company may apply corporate funds.

**38.** The Company may apply to 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 so far as they relate to 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.

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**39.** The powers given to the Company by the Cranbrook and Paddock Wood Railway Act 1877 to subscribe to the undertaking by that Act authorised shall be applicable in all respects to the undertaking of the Cranbrook Company as altered by this Act.

Subscription by Company under Cranbrook Act, 1877, made applicable to this Act.

**40.** The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railways of the Company and of the Cranbrook Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as annually revised shall be kept on sale at the principal office of the Company and of the Cranbrook Company at a price not exceeding one shilling. The Company or the Cranbrook Company shall within one week after application in writing made to the secretary of the Company or the Cranbrook Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railway render an account to the person so applying in which the charge made or claimed by the Company or the Cranbrook Company for the carriage of such goods shall be divided and the charge for conveyance over the railway shall be distinguished from the terminal charges (if any) and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified.

Classification table to be open for inspection—copies to be sold.

If the Company or the Cranbrook Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty may be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

**41.** Nothing in this Act shall exempt either of the two companies or their railways from the provisions of any general Act relating to railways or the better or 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

Provision as to general Railway Acts.



A.D. 1887. — or alteration under the authority of Parliament of the authorised maximum rates of fares and charges or of the rates for small parcels.

Costs of Act. **42.** All costs charges and expenses of and incident to the preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

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