



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. clxix.

An Act for making Railways from the *Farnborough* Extension of the *West London and Crystal Palace* Railway to the *North Kent* Line of the *South-eastern* Railway, and to the *London, Brighton, and South Coast* Railway, with Branches therefrom; and for other Purposes.

[23d July 1855.]

WHEREAS the Construction of a Railway from the *Farnborough* Extension of the *West London and Crystal Palace* Railway in the Parish of *Beckenham* in the County of *Kent* to the *North Kent* Line of the *South-eastern* Railway near the *Lewisham* Station therein would be of public and local Benefit, and the Persons herein-after named are willing, with others, at their own Expense, to make and maintain the said Railway: And whereas it is expedient to make Provision for facilitating the Transmission and Transit of Traffic passing to and from the said intended Railway from or to and over the said *Farnborough* Extension, and the Portion of the *South-eastern* Railway which is situate between the intended Point of Junction thereof with the said intended Railway and the

[*Local.*]

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Terminus

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Terminus of the *South-eastern* Railway near *London Bridge*, and to authorize the said Company and the *West London and Crystal Palace* Railway Company and *South-eastern* Railway Company respectively to enter into Agreements with reference to the Facilities to be so afforded, and also to authorize the Company incorporated by this Act and the *South-eastern* Railway Company to enter into Agreements with respect to the working, Maintenance, and Use of the said intended Railway: And whereas the several Purposes 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

8 & 9 Vict.
c.16.18. & 20.
incorporated.

I. The Provisions of "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," and "The Railways Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Short Title.

II. This Act may be cited for any Purpose as "*The Mid Kent Railway Act, 1855.*"

"The Company."

III. Wherever the Expression "the Company" is used in this Act, the same shall be held to mean the Company incorporated by this Act, except where there is something in the Context repugnant to such Construction.

Subscribers
incorporated.

IV. Sir *John William Lubbock* Baronet, *William Arthur Wilkinson*, *John Fletcher Hargrave*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of making and maintaining the Railway herein-after mentioned, together with all proper Works and Conveniences belonging thereto and connected therewith, according to the Provisions of this Act and of the Acts incorporated herewith, and for other the Purposes herein and in the said Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of "*The Mid Kent Railway Company*," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have a Common Seal, and Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained.

Capital.

V. The Capital of the Company shall be Eighty thousand Pounds, and shall be applied solely to the Purposes of this Act.

VI. The

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VI. The Number of Shares into which the said Capital shall be divided shall be Three thousand two hundred, and the Amount of each Share shall be Twenty-five Pounds.

Number and
Amount of
Shares.

VII. Five Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls.

Calls.

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

Interest or
Dividend
not to be
paid on
Calls.

IX. It shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding Twenty-five thousand Pounds; but no Part of such Sums shall be borrowed until the whole of the said Capital of Eighty thousand Pounds shall have been subscribed for, and One Half thereof shall have been actually paid up; and the whole of the Money so borrowed shall be applied to the Purposes of this Act.

Power to
borrow
Money on
Mortgage.

X. The Number of Directors shall be Six, and the Qualification of a Director shall be the Possession in his own Right of Forty Shares in the Undertaking.

Number and
Qualification
of Directors.

XI. Sir *John William Lubbock* Baronet, *William Arthur Wilkinson*, *John Fletcher Hargrave*, *John Lubbock*, and *Robert Main* shall be the First Directors of the Company.

First Di-
rectors.

XII. The First Ordinary Meeting of the Company shall be held within Six Months after the passing of this Act.

Firstordi-
nary Meet-
ing.

XIII. The Directors appointed by this Act shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by Proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office,

Election of
Directors at
Firstordi-
nary Meet-
ing.

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Office, the Directors appointed by this Act being eligible as Members of such new Body.

Subsequent
Election of
Directors.

XIV. At the First Ordinary Meeting to be held in the Year next after the Year in which such last-mentioned Directors shall have been appointed or elected, the Shareholders present, personally or by Proxy, shall elect Persons to supply the Places of the Directors then retiring from Office, agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," contained; and the several Persons elected at any such Meeting, being neither removed, nor disqualified, nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation Act, 1845."

Quorum.

XV. A Quorum of a Meeting of Directors shall be Three.

Committee
of Directors.

XVI. The Number of Directors of which Committees appointed by the Directors shall consist shall not be less than Two nor more than Four, and the Quorum of such Committees shall be Two.

Power to
make Rail-
way accord-
ing to
deposited
Plans.

XVII. And whereas Plans and Sections of the Railway, showing the Line and Levels thereof, with a Book of Reference containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands through which the same are intended to pass, have been deposited with the Clerk of the Peace for the County of *Kent*: Be it enacted, That, subject to the Provisions and Powers of Deviation in this and the Acts incorporated herewith contained, it shall be lawful for the Company to make and maintain the said Railway and Works in the Line and Levels and upon the Lands delineated on the said Plans and Sections and described in the said Book of Reference, and to enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Line of
Railway.

XVIII. The said Railway shall commence by a forked Junction with the *Farnborough* Extension of the *West London and Crystal Palace* Railway in the Parish of *Beckenham* in the County of *Kent*, and shall terminate by a Junction with the *North Kent* Line of the *South-eastern* Railway near the *Lewisham* Station thereof.

Lands for
extraordi-
nary Pur-
poses.

XIX. It shall be lawful for the Company and they are hereby authorized to purchase by Agreement and hold any Quantity of Lands for the extraordinary Purposes mentioned in "The Railways Clauses Consolidation Act, 1845," not exceeding Five Acres.

Powers for
compulsory
Purchases
limited.

XX. The Powers of the Company for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Two Years from the passing of this Act.

XXI. The

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XXI. The Railway shall be completed within Three Years from the passing of this Act, and on the Expiration of such Period the Powers by this or the Acts incorporated herewith granted to the Company for executing the Railway, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the Railway as shall then be completed.

Period for
Completion
of Works.

XXII. All Communications between the Railway hereby authorized and the *West End of London and Crystal Palace* Railway shall be effected in a substantial Manner by means of Connection Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *West End of London and Crystal Palace* Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects: Provided always, that in case of Difference between such Engineer and the Engineer of the Company with respect to any Works for effecting such Communications the same shall be determined by an Engineer to be appointed by the Board of Trade.

Mode of
effecting
Communica-
tions with
West End
of London
and Crystal
Palace Rail-
way.

XXIII. The Expenses of the Communications hereby authorized with the *West End of London and Crystal Palace* Railway, and of all the necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, and amending such Communications, and for repairing and maintaining such Rails and Points, shall be borne and paid by the Company; and all such Communications, Openings, and Works shall be in the first instance made, and be afterwards from Time to Time altered, amended, repaired, and maintained, under the Direction and Superintendence and to the reasonable Satisfaction of the Engineer for the Time being of the *West End of London and Crystal Palace* Railway, and in such Manner and by such Ways and Means respectively as shall not injure the *West End of London and Crystal Palace* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

Expenses of
Communica-
tions to be
borne by the
Company.

XXIV. The *West End of London and Crystal Palace* Railway Company may from Time to Time erect, maintain, and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants as that Company may deem necessary for the Prevention of Damage to or Detention of or Interference with Traffic at or near the Junctions of the *West End of London and Crystal Palace* Railway with the Railway hereby authorized; and the working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the *West End of London and Crystal Palace* Railway Company; and all the Costs

Signals, &c.
to be erected,
&c. and
Persons to
be provided
by the West
End of
London and
Crystal
Palace Rail-
way Com-
pany to pre-
vent Danger
at Point of
Junction.

[Local.]

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and

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and Expenses during each Half Year of erecting and maintaining and altering such Signals, Works, and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid by the Company to the *West End of London and Crystal Palace* Railway Company, on Demand; and in default the Amount of such Costs and Expenses may be recovered from the Company by the *West End of London and Crystal Palace* Railway Company in any Court of competent Jurisdiction.

Saving
Rights of
West End
of London,
&c. Railway
Company.

XXV. Provided always, That, except as is by this Act expressly provided, this Act shall not in any way take away, diminish, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of the *West End of London and Crystal Palace* Railway Company.

Mode of
effecting
Communica-
tions with
South-east-
ern Railway.

XXVI. All Communications between the Railway hereby authorized and the *South-eastern* Railway shall be effected in a substantial Manner by means of Connection Rails and Points of the Construction and laid in the Manner which the Engineer for the Time being of the *South-eastern* Railway Company may from Time to Time approve and require, and shall be executed to his Satisfaction in all respects: Provided always, that in case of Difference between such Engineer and the Engineer of the Company, with respect to any Works for effecting such Communications, the same shall be determined by an Engineer to be appointed by the Board of Trade.

Expenses of
Communica-
tions to be
borne by the
Company.

XXVII. The Expenses of the Communications hereby authorized with the *South-eastern* Railway Company, and of all the necessary Openings in the Rails thereof, and of all other Works which may from Time to Time be requisite for effecting, altering, and amending such Communications, and for repairing and maintaining such Rails and Points, shall be borne and paid by the Company; and all such Communications, Openings, and Works shall be in the first instance made, and be afterwards from Time to Time altered, amended, repaired, and maintained, under the Direction and Superintendence and to the Satisfaction of the Engineer for the Time being of the *South-eastern* Railway Company, and in such Manner and by such Ways and Means respectively as shall not injure the *South-eastern* Railway, or impede or interfere with the free, uninterrupted, and safe Passage along the same.

Signals, &c.
to be erected,
&c. and
Persons to be
provided by
the South-
eastern
Railway

XXVIII. The *South-eastern* Railway Company may from Time to Time erect, maintain and alter such Signals and other Works and Conveniences, and appoint and remove such Watchmen, Pointsmen, and other Servants, as that Company may deem necessary for the Prevention of Damage to or Detention of or Interference with Traffic at and near the Junction of the *South-eastern* Railway with the
Railway

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Railway hereby authorized; and the working and Management of such Signals, Works, and Conveniences, and the Control and Direction of such Watchmen, Pointsmen, and other Servants, shall belong exclusively to the *South-eastern* Railway Company; and all the Costs and Expenses during each Half Year of erecting and maintaining and altering such Signal Works and Conveniences, and of employing and paying such Watchmen, Pointsmen, and other Servants, shall at the Expiration of each Half Year be repaid by the Company to the *South-eastern* Railway Company, on Demand; and in default the Amount of such Costs and Expenses may be recovered from the Company by the *South-eastern* Railway Company, in any Court of competent Jurisdiction.

Company to
prevent
Danger at
Point of
Junction.

XXIX. Provided always, That, except as is by this Act expressly provided, this Act shall not in any way take away, diminish, alter, or prejudice any of the Rights, Privileges, Powers, or Authorities of the *South-eastern* Railway Company.

Saving
Rights of
South-east-
ern Railway
Company.

XXX. Where any of the intended Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or in any Manner so as to interfere with any Sewer, Drain, Watercourse, Defence, or Work under the Jurisdiction, Management, Survey, or Control of the Metropolitan Commissioners of Sewers, or shall or may in any way affect the Sewerage or Drainage of the Districts under their Control, the Company shall not commence such Work until they shall have given to the said Commissioners Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of the said Commissioners for the Time being, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, nor until the said Commissioners shall have signified their Approval of the same (unless the said Commissioners do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plan, Section, and Particulars as aforesaid); and the Company shall comply with and conform to all Directions and Regulations of the Commissioners in the Execution of the said Works, and shall provide, by new, altered, or substituted Works, in such Manner as the said Commissioners may deem necessary, for the proper Protection of and for preventing Injury or Impediment to the Sewerage or Drainage of the District by or by reason of the said intended Works, or any Part thereof; and all such Works as may be so required shall be done, under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Commissioners, at the Costs, Charges, and Expenses in all respects of the Company; and when any new, altered, or substituted Works as aforesaid, or any Works or Defences connected therewith,

As to Con-
struction of
Works inter-
fering with
Sewers
under the
Jurisdiction
of the Me-
tropolitan
Commission-
ers of
Sewers.

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therewith, shall be completed, by or at the Costs, Charges, and Expenses of the Company, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Direction, Jurisdiction, and Control of the said Commissioners as any Sewers, Drains, Watercourses, or Works now are or hereafter may be, and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested or to be vested in the said Commissioners or their Successors, but all such Rights, Powers, and Authorities shall be as good, valid, and effectual as if this Act had not been passed.

Deposit
Money not
to be repaid
until Line
opened, or
Half the
Capital paid
up and
expended,
except on
Execution of
Bond, &c.

XXXI. Whereas, pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Sum of Five thousand nine hundred and twenty-five Pounds, being One Tenth Part of Three Fourths of the Amount of the Estimate of the Expense of the Railway authorized by this Act, has been deposited with the Court of Chancery in *England* in respect of the Application to Parliament for this Act: Be it enacted, That, notwithstanding anything contained in the said recited Act, the said Sum of Five thousand nine hundred and twenty-five Pounds so deposited as aforesaid in respect of the Application for this Act, or the Interest or Dividends of such Sum of Money, shall not, except upon the Execution and Deposit of such Bond as herein-after mentioned, be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for Completion of the Railway hereby authorized to be made, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if the said Period shall expire before the Company shall either have opened the said Railway for the public Conveyance of Passengers, or have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the said Sum of Money deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: Provided that at any Time after the passing of this

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this Act, if a Bond in twice the Amount of the said Sum of Five thousand nine hundred and twenty-five Pounds shall have been executed by the said Company, with One or more Sureties, (such Bond to be prepared to the Satisfaction of and such Surety or Sureties to be approved by the Solicitors to the Lords Commissioners of Her Majesty's Treasury,) conditioned for Payment to Her Majesty, Her Heirs or Successors, of the said Sum of Five thousand nine hundred and twenty-five Pounds if the Company shall not, within the Time limited for the Completion of the said Railway, either open the said Railway for the public Conveyance of Passengers, or prove to the Satisfaction of the Lords of the said Committee that the Company have paid up One Half of the Amount of the said Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital; and if such Bond shall have been deposited with the said Solicitors to the said Lords Commissioners, then such Sum of Money, and the Interest or Dividends thereof, shall be paid to or on the Application of the Person or Persons or the Majority of the Persons named in such Warrant or Order as aforesaid, or the Survivors or Survivor of them, and it shall not be necessary to produce any Certificate of this Act having passed, anything in the said recited Act to the contrary notwithstanding; and the Monies to be recovered upon such Bond shall be dealt with in like Manner as the said Sum of Money, and the Interest or Dividends thereof, would have been dealt with under this Act if such Bond had not been executed and deposited as aforesaid; and the Certificate of the said Solicitors to the said Lords Commissioners that such Bond has been executed and deposited as aforesaid, and the Certificate of the Lords of the said Committee that such Proof has been given to their Satisfaction as aforesaid, shall respectively be sufficient Evidence of the Facts so certified.

XXXII. It shall be lawful for the Company to demand any Tolls for the Use of the Railway, not exceeding the following; (that is to say,) Tolls for Goods, &c.

Class One : For all Compost, Dung, and all Sorts of Manure, Lime and Limestone, Ashes, Gravel, Sand, Chalk, and all undressed Materials for the Repairs of Roads or Highways, and for all Coals, Coke, Culm, Charcoal, and Cinders, all Stones for building, pitching, and paving, all Bricks, Tiles, Slates, Draining Pipes, Clay, Ironstone and Iron Ore, Pig Iron, Rod Iron, Bar Iron, Hoop Iron, and all other similar Descriptions of Wrought Iron and Iron Castings not manufactured into Utensils or other Articles of Merchandise, Boiler Plates, Bars, Bolts, Hoops, Axles, Chains, Rails, Nails, Lead, Salt, and Cement, carried upon the Railway or any Part thereof, the Sum of One Penny Class One.

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and Three Farthings *per Ton per Mile* ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton per Mile* not exceeding Three Farthings :

Class Two. Class Two: For all Sugar, Grain, Corn, Flour, Meal, Oil Cake, Hides, Skins, Horns and Hoofs, Dyewoods, Earthenware, Timber, Deals, Metals (except Iron), and for all Cotton and other Wools, Drugs, manufactured Goods, and all other Wares, Merchandise, Fish, Articles, Matters, or Things carried upon the Railway or any Part thereof, any Sum not exceeding Threepence Farthing *per Ton per Mile* ; and if conveyed in Carriages belonging to the Company, an additional Sum *per Ton per Mile* not exceeding Three Farthings ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton* not exceeding Three Farthings: And

Class Three. Class Three: For every Carriage, of whatever Description, not being a Carriage adapted and used for travelling on a Railway, and not weighing more than One Ton, conveyed upon the Railway or any Part thereof, any Sum not exceeding Sixpence *per Mile* ; and if any such Carriage be conveyed on a Truck or Platform belonging to the Company, an additional Sum not exceeding Threepence *per Mile* ; and if propelled by an Engine belonging to the Company, a further Sum not exceeding Twopence Farthing *per Mile* ; and the Sum of Twopence Farthing *per Mile* for every additional Quarter of a Ton or fractional Part of a Quarter of a Ton which any such Carriage may weigh.

Tolls for Animals, &c. XXXIII. In respect of Animals conveyed in Carriages upon the Railway, as follows :

Class Four. Class Four: For every Horse, Mule, Ass, or other Beast of Draught or Burthen conveyed in or upon any such Carriage conveyed upon the Railway or any Part thereof, the Sum of Fourpence *per Mile* ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Twopence *per Mile* ; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum not exceeding Twopence *per Mile*.

Class Five. Class Five: For every Ox, Cow, Bull, or Neat Cattle conveyed in or upon any such Carriage conveyed upon the Railway or any Part thereof, the Sum of Twopence Halfpenny *per Mile* ; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding One Penny Halfpenny *per Mile* ; and if such Carriage be propelled by an Engine belonging to the said Company, an additional Sum not exceeding One Penny Halfpenny *per Mile* :

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

XXXIV. In respect of Passengers conveyed in Carriages upon the Railway or any Part thereof, as follows : Tolls for Passengers.

For any Person conveyed in or upon any such Carriage on the Railway or any Part thereof, not exceeding Threepence *per* Mile; and if conveyed in or upon any Carriage belonging to the Company, an additional Sum not exceeding Three Farthings *per* Mile; and if propelled by an Engine belonging to the Company, an additional Sum not exceeding Three Farthings *per* Mile.

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

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

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

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

XXXVI. And with respect to small Packages, and single Articles of great Weight, notwithstanding the Rate of Tolls prescribed by this Act, the Company may lawfully demand the Tolls following; (that is to say,) Tolls for small Parcels and Articles of great Weight.

For the Carriage of small Parcels on the Railway or any Part thereof, as follows; (that is to say,)

For any Parcel not exceeding Seven Pounds in Weight, Fourpence :

For any Parcel not exceeding Fourteen Pounds in Weight, Eightpence :

For any Parcel not exceeding Twenty-eight Pounds in Weight, One Shilling :

For any Parcel not exceeding Fifty-six Pounds in Weight, One Shilling and Fourpence :

For

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For any Parcel not exceeding One hundred and twelve Pounds in Weight, Two Shillings and Fourpence :

For any Parcel not exceeding Two hundred and twenty-four Pounds in Weight, Three Shillings and Sixpence :

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

Provided always, that Articles sent in large aggregate Quantities, although made up of separate Parcels, such as Bags of Sugar, Coffee, Meal, and the like, shall not be deemed small Parcels, but such Term shall apply only to single Parcels in separate Packages :

For the Carriage upon the Railway or any Part thereof of any One Boiler, Cylinder, or single Piece of Machinery, or single Piece of Timber or Stone, or other single Article, the Weight of which, including the Carriage, shall exceed Four Tons but shall not exceed Eight Tons, the Company may demand any Sum *per Ton per Mile* not exceeding One Shilling and Three-pence ; and if conveyed in or upon a Carriage belonging to the Company, an additional Sum *per Ton* not exceeding Threepence *per Mile* ; and if propelled by an Engine belonging to the Company, a further Sum *per Ton* not exceeding Threepence *per Mile* :

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

Maximum
Rates of
Charges for
Passengers.

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

For every Passenger conveyed in a First-class Carriage for a Distance not exceeding Two Miles the Sum of Sixpence, and if exceeding Two Miles the Sum of One Shilling :

For every Passenger conveyed in a Second-class Carriage for a Distance not exceeding Two Miles the Sum of Fourpence, and if exceeding Two Miles the Sum of Eightpence :

For every Passenger conveyed in a Third-class Carriage for a Distance not exceeding Two Miles the Sum of Threepence, and if exceeding Two Miles the Sum of Sixpence :

Provided always, that, instead of the before-mentioned Charges for Passengers, it shall be lawful for the Company, if they think fit, to demand and receive from every Passenger conveyed upon the Railway,

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way, or any Part thereof, a Sum not exceeding Ninepence for a Passenger conveyed in a First-class Carriage, Sixpence for a Passenger conveyed in a Second-class Carriage, and Fourpence for a Passenger conveyed in a Third-class Carriage.

XXXVIII. The maximum Rate of Charge to be made by the Company, including the Tolls for the Use of the Railway, and of Carriages, and for locomotive Power, and every other Expense incidental to such Conveyance, shall not exceed the Amounts mentioned in the following Table; (that is to say,)

Maximum
Rates for
Goods and
Animals.

For the Matters herein-before mentioned under Class One, not exceeding Tenpence *per* Ton :

For the Matters mentioned under Class Two, not exceeding One Shilling and Threepence *per* Ton :

For any Carriage mentioned under Class Three, not weighing more than One Ton, not exceeding Two Shillings ; and if weighing more than One Ton, not exceeding Sixpence for every Quarter of a Ton or fractional Part of a Quarter of a Ton above One Ton :

For everything mentioned under Class Four, not exceeding One Shilling and Sixpence :

For everything mentioned under Class Five, not exceeding One Shilling :

For everything mentioned under Class Six, not exceeding Ninepence.

XXXIX. Notwithstanding anything in this Act contained, it shall be lawful for the Company and they are hereby authorized and empowered, by Agreement with the Owner or Owners of or Person or Persons in charge of Goods of any Description, to take and receive, and in such Case to demand and recover, either in respect of the Conveyance of such Goods (other than small Parcels) by Passenger Trains, or by reason of any other special Service performed by the Company in relation thereto, any increased Rates or Charges over and above the Rates and Charges by this Act limited or authorized to be received and taken for or in respect of any such Goods.

Power to
charge extra
for Goods
by Agree-
ment with
the Owners.

XL. The Restrictions as to Charges to be made for Passengers shall apply to the Ordinary and Express Trains from Time to Time appointed, but shall not extend to any Special Train.

Foregoing
Restriction
as to Charges
not to apply
to Special
Trains.

XLI. Every Passenger travelling upon the Railway may take with him his ordinary Luggage, not exceeding One hundred and twelve Pounds in Weight for First-class Passengers, One hundred Pounds in Weight for Second-class Passengers, and Sixty Pounds in

Passengers
Luggage.

Local.]

30 *E*

Weight

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Weight for Third-class Passengers, without any Charge being made for the Carriage thereof.

Power to
Company
and West
End of
London, &c.
Railway
Company to
enter into
Agreements.

XLII. It shall be lawful for the Company and for the *West End of London and Crystal Palace* Railway Company from Time to Time to enter into such Contracts or Agreements as they may think proper for the User of the said *Farnborough* Extension, and all the Stations, Watering Places, Works, and Conveniences on or connected with the said Extension or any Part thereof, and for facilitating the Transmission and Transit of Traffic from, to, and over the Railway by this Act authorized to, from, and over the *Farnborough* Extension.

Power to
enter into
Agreements
with the
South-east-
ern Railway
Company
for facilitat-
ing Traffic.

XLIII. It shall be lawful for the Company and the *South-eastern* Railway Company from Time to Time to enter into Contracts or Agreements for facilitating the Transmission and Transit of Traffic from or to and over the Railway by this Act authorized to or from and over the Portion of the *South-eastern* Railway situate between the Point of Junction therewith of the Railway by this Act authorized and the Terminus of the *South-eastern* Railway near *London Bridge*, in such Manner and upon such Terms and Conditions as they shall respectively think fit.

Power to
enter into
Working
Agreements
with South
Eastern
Railway
Company.

XLIV. It shall be lawful for the Company hereby incorporated and the *South-eastern* Railway Company from Time to Time to enter into and make such Contracts and Agreements as shall be deemed expedient by and between the said Companies, for and with reference to the working, Use, Management, Supervision, Maintenance, Support, and Repairs of the Railway, Stations, and Works by this Act authorized, or any Part thereof, and as to the Payment or Contribution by and between the said Companies of or towards the Costs, Charges, and Expenses of such working, Use, Management, Supervision, Maintenance, Support, and Repairs, and also with reference to the Rates, Tolls, and Charges to be charged by or between the said Companies for or in respect of any Traffic, and the Division and Apportionment between the said Companies of such Rates, Tolls, and Charges, and such Contracts and Agreements from Time to Time to alter and vary, as Occasion may require, and also for all or any of the Purposes aforesaid to make and execute all such Deeds, Contracts, Instruments, and Assurances as may be deemed requisite or expedient for giving to the Matters and Premises aforesaid full Effect.

Duration of
Agreement;
but to be
approved by
Board of
Trade.

XLV. Provided always, That any such Agreement as aforesaid shall not be for more than Ten Years, and no such Agreement shall have any Operation until the same shall have been approved of by the Board of Trade; and no such Agreement as aforesaid shall in any Manner alter, affect, increase, or diminish any of the Tolls, Rates,

or

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or Charges which the said Companies, Parties thereto, shall for the Time being be respectively authorized and entitled to demand and receive from any Person or any other Company, but all other Persons and Companies shall, notwithstanding any such Agreement, be entitled to the Use and Benefit of the Railways to which the said Agreement may relate, upon the same Terms and Conditions, and on Payment of the same Tolls, Rates, and Charges, as they would have been in case no such Agreement had been entered into: Provided also, that the said Board shall not approve any such Agreement as aforesaid without being satisfied that the same has been duly assented to by Shareholders of the *South-eastern* Railway Company or of the *West End of London and Crystal Palace* Railway Company, as the Case may be, in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid-up Capital of the Company represented at such Meeting, personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital, and by the Shareholders in the Company incorporated by this Act in Special Meeting assembled for the like Purpose.

Agreements not to affect Persons not Parties thereto.

Agreement not to be approved without Assent of Shareholders.

XLVI. At the Expiration of any such Agreement as aforesaid, the said Companies, Parties thereto, with such respective Consent as aforesaid in Special Meeting of the Shareholders of such Companies respectively, and subject to the Approval of the Board of Trade, may enter into a further Agreement for all or any of the Purposes aforesaid; provided that before such Companies shall enter into any such further Agreement as aforesaid they shall give Notice of their Intention to enter into such Agreement by Advertisement, in a Form to be approved of by the Board of Trade, inserted once in each of Two successive Weeks in some Newspaper published or circulating in each County in which any Part of the Railway or Railways to which such proposed Agreement relates is situate; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and no such Agreement shall be valid at Law or in Equity until the same shall have been approved by the Board of Trade: Provided always, that no such Contract or Agreement shall have any Operation or Effect unless and until the same shall have been submitted to and approved by Shareholders of the *South-eastern* Railway Company or of the *West End of London and Crystal Palace* Railway Company (as the Case may be) in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid-up Capital of the Company represented at such Meeting, personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital, and by the Shareholders in the Company incorporated by this Act, present, personally or by Proxy, at a Meeting of the Company specially convened for that Purpose;

Agreement may be renewed, with the Approval of the Board of Trade.

Public Notice to be given of the Intention to enter into Agreements.

Agreement inoperative unless approved by the Board of Trade.

Renewed Agreement to have Assent of Shareholders at Meeting.

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Meeting how
to be con-
vened.

Purpose; and every such Meeting shall be convened by Advertisements inserted for Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of each Company which may be a Party to such Agreement shall be situate.

Power for
Company
and South-
eastern
Railway
Company to
carry into
effect a cer-
tain Agree-
ment for
working the
Railway.

XLVII. And whereas Heads of Agreement, a Copy whereof is set forth in the Schedule to this Act, have been entered into between the Company hereby incorporated and the *South-eastern* Railway Company, for the working by the latter Company of the Railway hereby authorized, from the Time of the opening thereof for public Traffic, upon certain Terms and Conditions therein expressed as to the Maintenance of the said Railway, and the Division and Apportionment of the Rates, Tolls, and Profits, and it is therein provided that a formal Agreement, based on the said Heads, shall be immediately drawn up and signed; and it is expedient that such Heads of Agreement, and the formal Agreement to be so based thereon, shall be sanctioned: Be it therefore enacted, That the said Heads of Agreement shall be and the same are hereby sanctioned, and it shall be lawful for the said Companies to make and enter into a formal Agreement, upon the Basis of and in accordance with the said Heads of Agreement, for the working by the *South-eastern* Railway Company of the Railway hereby authorized, upon the Terms and Conditions contained in the said Heads of Agreement.

Agreement
may be
renewed
with the
Approval of
the Board of
Trade.
Public
Notice to be
given of the
Intention to
enter into
Agreement.

XLVIII. At the Expiration of the last-mentioned Agreement, the Company incorporated by this Act and the *South-eastern* Railway Company may enter into a further Agreement for all or any of the Purposes of the former Agreement, for the further Period of Ten Years: Provided, that before such Companies shall enter into such further Agreement they shall give Notice of their Intention to enter into such Agreement by Advertisement in a Form to be approved of by the Board of Trade, inserted once in each of Two successive Weeks in some Newspaper published or circulating in the County of *Kent*; and every such Notice shall set forth within what Time and in what Manner any Company or Person aggrieved by such proposed Agreement, and desiring to object thereto, may bring such Objections before the Board of Trade; and such further Agreement shall not be valid at Law or in Equity until the same shall have been approved by the Board of Trade: Provided also, that such further Agreement shall not have any Operation or Effect unless and until the same shall have been submitted to and approved by Shareholders of the *South-eastern* Railway Company, in Special Meeting assembled for that Purpose, and holding at least Three Fifths of the paid-up Capital of the Company represented at such Meeting personally or by Proxy, such Shareholders being qualified to vote thereat in right of such Capital, and by the
Shareholders

Agreement
inoperative
till ap-
proved by
Board of
Trade, and
assented to
by Share-
holders.

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Shareholders in the Company incorporated by this Act, present, personally or by Proxy, at a Meeting of the Company specially convened for that Purpose; and every such Meeting shall be convened by Advertisements inserted for Two successive Weeks in a Morning Newspaper published in *London*, and in some Newspaper of the County in which the principal Office of each of the said Companies shall be situate.

Meeting how
to be con-
vened.

XLIX. Provided also, That so long as any such Agreement as aforesaid for working the Railway by the *South-eastern* Railway Company shall continue in force, in estimating the Toll or Charge to be paid in respect of Articles or Persons conveyed partly on the Railway by this Act authorized and partly on the *South-eastern* Railway the Distance traversed shall be reckoned continuously on both Railways as if the said Railways were One Railway; and if the entire Distance traversed shall be less than Six Miles, the Railway by this Act authorized shall be considered as Part of the *South-eastern* Railway.

During
Agreement
Railway to
be treated
as Part of
the South-
eastern
Railway in
charging
for short
Distances.

L. It shall not be lawful for the Company, out of any Money by this Act authorized to be raised for the Purposes of such Act, to pay or deposit any Sum of Money which by any Standing Order of either House of Parliament now in force or hereafter to be in force may be required to be deposited in respect of any Application to Parliament for the Purpose of obtaining any Act authorizing the Company to construct any other Railway, or execute any other Work or Undertaking.

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

LI. Nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, or the Company, from the Provisions of any General Acts relating to such Act, or of any General Act relating to Railways, or to the better and more impartial Audit of the Accounts of Railway Companies, now in force or which may hereafter pass during the present or any future Session of Parliament, or from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, and of the Rates for small Parcels, authorized by this Act.

Railway not
exempt
from Pro-
visions of
present and
future
General
Acts.

LII. All the Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the Company.

Expenses of
Act.

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SCHEDULE referred to in the foregoing Act.

TERMS FOR SOUTH-EASTERN RAILWAY COMPANY TO WORK THE LINE FROM
LEWISHAM TO BECKENHAM.

1 The Mid Kent Railway Company to complete a double Line of Railway, with proper Stations, Signals, Sidings, &c., before it is opened for Traffic.

2. All Works that may be required for Extension of Traffic, or may be found necessary after the Line has been opened, to be constructed by and at the Cost of the Mid Kent Railway Company.

3. The South-eastern Railway Company to provide Staff for Stations and Plant for working Line, and to maintain the Permanent Way at the Expiration of Two Years from the opening of the Line for Traffic, during which Two Years the Mid Kent Railway Company are to maintain it, and the South-eastern Railway Company shall proceed to work the Line from and after it shall be opened by the Board of Trade.

4. During the Time the Permanent Way is in the Hands of the Mid Kent Railway Company or their Contractors, the Sum of 40 per Cent. to be deducted from gross Receipts to and retained by the South-eastern Railway Company for Working Expenses.

5. After the Permanent Way is in the Hands of the South-eastern Railway Company, an Amount of 50 per Cent. to be deducted from gross Receipts, and to be retained by the South-eastern Railway Company for Working Expenses.

6. After the Deduction of the above Per-centages for Working Expenses, the Balance to be paid to the Mid Kent Railway Company until the Amount shall realize £5 5s. per Cent. per Annum upon the Outlay of Capital not exceeding £105,000, after which the Profits above such Five Guineas per Cent. to be divided equally between the Mid Kent Railway Company and South-eastern Railway Company.

7. The Receipts for Traffic passing to or from the proposed Line to or from the South-eastern Railway to be computed at and divided on a Mileage Rate.

8. The Mid Kent Railway Company to fix Fares on Passengers and Rates on Goods to and from all Stations on their Line and London (provided that the Fares on the First Mile of their Line from the North Kent Line to and from London shall not be lower than South-eastern Fares from Lewisham Station to London); but in case the Fares fixed are below either the average Rate of Fares of the North Kent Railway for all Stations between London and Gravesend, or on the Croydon Railway between Croydon and London, the South-eastern Railway Company may, if they can show that such Fares create a Loss on the working, call upon the Mid Kent Railway Company to make good the Loss.

9. For all other Traffic between Stations on the Mid Kent Railway Company's Line and the South-eastern Railway the Fares and Rates on Goods to be fixed by Agreement.

10. As the South-eastern Railway Company propose to maintain the Line between Lewisham and Beckenham in Two Years after the opening of it, the
Line

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Line to be constructed between those Points in a substantial Manner, and without the Adoption of Timber Bridges or Culverts.

11. This Agreement to hold for 10 Years after the opening of the Railway for public Traffic, and to continue for another Term not exceeding 10 Years if the Board of Trade shall then sanction its Renewal.

12. In case of Dispute between the Parties in respect of any of the Provisions or Conditions of this Memorandum, the Question to be referred to some Engineer to be appointed by the President of the Institution of Civil Engineers whose Decision shall be final.

A formal Agreement, based on the above Heads, to be immediately drawn up and signed.

13. It is agreed that upon the Bill passing, and the formal Agreement to the Effect of the above Heads of Arrangement being sealed under the Seals of the Two Companies, the above Heads of Arrangement shall be superseded thereby, and shall be delivered up to be cancelled.

Dated this 24th Day of May 1855.

LONDON :

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