



ANNO DECIMO OCTAVO & DECIMO NONO
VICTORIÆ REGINÆ.

Cap. xciv.

An Act to amend the *East Kent Railway Act*,
1853. [26th June 1855.]

WHEREAS by the Local and Personal Act of the Sixteenth 16 & 17 Vict.
and Seventeenth *Victoria*, Chapter 132, the *East Kent* c. cxxxii.
Railway Company (herein-after called "the Company")
were incorporated, with Power to make the Railway, Branch Rail-
ways, and Works therein described: And whereas One Part of the
said Works consists of a Bridge across the River *Medway*, and it was
provided by the Thirtieth Section of the said Act that certain Portions
of the Foundations and Abutments of such Bridge should be com-
pleted within Twelve Months from the passing of the said Act, and
that the whole of the Foundations for the Piers and Abutments of
the said Bridge should be completed up to Low-water Mark within
Eighteen Months from the same Period, subject to certain Penalties
in the said Act specified: And whereas by the Forty-eighth Section
of the said Act the Period for the Construction of the said Railways
and Works was limited to Five Years from the passing of the said
Act: And whereas by the Fiftieth Section of the said Act, after
reciting that the Sum of Fifty thousand five hundred and fifty Pounds
had been deposited with the Court of Chancery in respect of the
Application to Parliament for the said Act, it was enacted, that neither
the said Principal Sum, nor the Interest accruing thereon, should be
repaid under the Provisions of the Act of the Ninth *Victoria*,
Chapter 20, unless previously to the Period limited for the Completion
of the said Railway the Company should open the same for public
[Local.] 15 E Use,

East Kent Railway Act, 1855.

Use, or should prove to the Satisfaction of the Board of Trade that not less than One Half of the Capital of the Company had been paid up and expended in the Construction of the said Railway, or unless the Company should have entered into a Bond in twice the Amount of the said Sum of Fifty thousand five hundred and fifty Pounds, with One or more Surety or Sureties, conditioned for Payment to Her Majesty, Her Heirs and Successors, of the said Sum of Fifty thousand five hundred and fifty Pounds in the event of the said Railway not being completed within the Period limited for the Purpose, or in the event of One Half of the Capital of the Company not having been raised and expended on the said Railway within the same Period; and in the event of the said Railway not being so completed or the said Sum not being so expended within the said Period, then the said Sum of Fifty thousand five hundred and fifty Pounds was to become forfeited to Her Majesty, and to form Part of the Consolidated Fund of the United Kingdom of *Great Britain and Ireland*: And whereas, in consequence of Difficulties experienced by the Company in prosecuting the Works of the said Railways, and in the Construction of the said Bridge over the *Medway*, so as to secure the Completion of the Portions thereof as aforesaid within the Periods by the said "*East Kent Railway Act, 1853*," limited for those Purposes respectively, it is expedient that those Periods should be extended: And whereas it is an Object of great national Importance to complete at the earliest possible Period the Communication by Railway between *London, Deptford*, and *Woolwich* and the Dockyards and Arsenal at *Chatham*, and between the said Dockyards and Arsenal and the Town of *Maidstone*, and with that View to construct such Bridge, with the Approaches thereto, and it is desirable to expedite as far as possible the Completion of the said Bridge and Approaches, for which Purpose the said Sum of Fifty thousand five hundred and fifty Pounds now deposited in the Court of Chancery as aforesaid might with great Convenience and Advantage be made available; and it is expedient that the said "*East Kent Railway Act, 1853*," should be so amended as to allow of the said Sum being withdrawn out of the Court of Chancery, and applied towards the Formation of the said Bridge and Approaches: 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, in manner following; (that is to say,)

Sections 30.
and 48. of
16 & 17 Vict.
c. cxxxii. re-
pealed.

Allowing
Application
of Monies
deposited to
the Con-

I. The said several Sections of the "*East Kent Railway Act, 1853*," numbered respectively XXX. and XLVIII., shall be and the same are hereby accordingly repealed.

II. If within Three Months from the passing of this Act the Company shall have entered into a Bond in twice the Amount of the said Sum of Fifty thousand five hundred and fifty Pounds, with One or more Surety or Sureties, to the Satisfaction of the Lords Commissioners

East Kent Railway Act, 1855.

sioners of Her Majesty's Treasury, conditioned for the Completion of the said Bridge over the *Medway*, in accordance with the Provisions of the said "*East Kent Railway Act, 1853*," within Eighteen Months from the passing of this Act, and conditioned also for the Application towards the Construction of the said Bridge and Approaches thereto of the whole of the said Sum of Fifty thousand five hundred and fifty Pounds now deposited in the Court of Chancery as aforesaid, or so much thereof as may be necessary for the Purpose, then, on the Certificate of the said Lords of the Treasury being granted to the Company to the Effect that such Bond has been entered into to their Satisfaction, the said Fiftieth Section of the "*East Kent Railway Act, 1853*," shall as from the Time when such Certificate is granted be and be held to be repealed, and such Certificate shall be conclusive Evidence that the Provisions of this Act with reference to such Bond have been complied with, and on such Certificate being granted the Provisions of the said Act of the Ninth *Victoria*, Chapter 20, with regard to the Repayment of Monies deposited in the Court of Chancery under the Provisions of that Act, shall, subject to the Provisions herein-after contained, be held applicable to the said Sum of Fifty thousand five hundred and fifty Pounds so deposited as aforesaid; and on Application being made under the last-recited Act for Repayment of such Monies, an Order for Repayment thereof may and shall be made on Production of such Certificate as aforesaid of the said Lords of the Treasury, nor shall it for the Purpose of obtaining such Order be necessary to produce any Certificate required by the said Act of the Ninth *Victoria*, Chapter 20, or any Certificate that this Act was passed; but until such Bond as last aforesaid shall have been entered into, and such Certificate as aforesaid of the said Lords of the Treasury shall have been obtained by the Company, the said last-mentioned Sum shall remain subject to the Provisions of the said Fiftieth Section of the "*East Kent Railway Act, 1853*," as hereby varied; and such last-mentioned Section, until the same is by virtue of this Act repealed, shall be construed and operate as if the Period limited for the Completion of the said Railways therein referred to were the Period by this Act limited for such Completion, in lieu of the Period limited by the said "*East Kent Railway Act, 1853*."

struction of
Bridge over
Medway and
Approaches.

III. The Company shall complete the Foundations of the Abutments of the Navigation Cut and of the Opening or Swing Bridge on the *Strood* Shore referred to in the "*East Kent Railway Act, 1853*," within Twelve Calendar Months from the passing of this Act, and the Company shall complete the Foundations for the Piers and Abutments of the Railway Bridge or Viaduct over the River *Medway*, referred to in the said Act, up to Low-water Mark of ordinary Neap Tides in the said River, within Eighteen Calendar Months from the passing of this Act: Provided always, that in the event of the Completion of the Works mentioned in this Clause being delayed beyond the respective Periods of Twelve and Eighteen Calendar Months from the passing

Foundations
for opening
Passage in
Bridge to be
completed
in Twelve
Months, and
Foundations
of Bridge
itself within
Eighteen
Months.

of

East Kent Railway Act, 1855.

of this Act the Company shall forfeit and pay a Sum of Ten Pounds *per* Day for every Day during which the Completion of such Works shall be so delayed, such Penalty to be recovered as a Debt due to the Crown, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Extending
Time for
making
Railways.

IV. The Powers granted to the Company by the said first-recited Act and this Act for making the Railways by the said Act authorized, or otherwise in relation thereto, may be exercised and put in force by them for a Period of Five Years from the passing of this Act, after the Expiration of which Period the said Powers shall cease, except as to so much of the said Railways as shall then have been completed.

Saving Ad-
miralty Pro-
visions in
recited Act.

V. Nothing in this Act contained shall alter, repeal, or annul any of the Clauses and Provisions contained in the *East Kent Railway Act, 1853*, having reference to the Admiralty, except those which may be herein expressly altered, repealed, or annulled.

Expenses of
Act.

VI. All the Costs, Charges, and Expenses of and incidental to the passing of this Act shall be paid by the *East Kent Railway Company*.

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

VII. The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purposes of such Act, 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 an Act authorizing the Company to construct any other Railway or execute any other Work or Undertaking.

Railway not
exempt from
Provisions of
present and
future Gene-
ral Acts.

VIII. Nothing in this Act contained shall be deemed or construed to exempt the Railways from the Provisions of any General Act relating to this Act, or of any General Act relating to Railways, or to the better or 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 Rates for small Parcels and the maximum Rates of Fares and Charges authorized by the said "*East Kent Railway Act, 1853*."

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