



ANNO VICESIMO QUINTO & VICESIMO SEXTO

# VICTORIÆ REGINÆ.

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## Cap. cxcvii.

An Act to empower the *Kent Coast* Railway Company to construct Railways or Tramways at *Ramsgate*; and to raise further Money; and for other Purposes. [29th July 1862.]

**W**HEREAS by "The *Herne Bay and Faversham* Railway Act, 1857," a Company was incorporated by the Name of the *Herne Bay and Faversham* Railway Company, (but now by virtue of "The *Kent Coast* Railway Act, 1861," styled "The *Kent Coast* Railway Company," and herein-after called "the Company,") with a Capital of Eighty thousand Pounds, in Four thousand Shares of Twenty Pounds each, and with Power to borrow Twenty-six thousand Pounds for the Purpose of making a Railway (herein-after called "the original Line") commencing from and out of the *East Kent* Railway (now called "The *London, Chatham, and Dover* Railway") in the Parish of *Preston* next *Faversham* in the County of *Kent*, and terminating in the Parish of *Herne* in the same County: And whereas by "The *Margate* Railway Act, 1859," the Company were authorized to extend their Line of Railway from *Herne Bay* to *Margate*, and to raise the further Sums of One hundred and five thousand Pounds by ordinary Shares, and Thirty-five thousand Pounds by borrowing: And whereas by "The *Kent Coast* Railway

20 & 21 Vict. c. clii.

22 & 23 Vict. c. cxvi.

24 & 25 Vict. c. ccxli.

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Railway Act, 1861," the Company were authorized to extend their Line of Railway from *Margate* to *Ramsgate*, and to raise for the Purposes of the Undertaking by that Act authorized the Sums of Ninety-six thousand Pounds by ordinary Shares, and Thirty-two thousand Pounds by borrowing, and for the Purposes of the Undertaking, by "The *Herne Bay and Faversham* Railway Act, 1857," and "The *Margate* Railway Act, 1859," authorized the further Sums of Sixty thousand Pounds by Shares, with or without a preferential Interest or Dividend (payable only out of the Profits applicable to Dividend of the Railways by those Acts authorized), and Twenty thousand Pounds by borrowing, and the Company have accordingly created and issued Shares for raising that Sum of Sixty thousand Pounds: And whereas the original Line is complete and open for Traffic, except a Bridge for crossing the Road, numbered on the Plans deposited for the Purposes of the firstly-recited Act 31, in the Parish of *Herne*, and the Powers of the Company for the Construction of that Bridge have expired, and it is expedient that further Powers for the Construction thereof be conferred upon them: And whereas it is expedient that the Company be authorized to purchase, compulsorily or by Agreement, for Station Accommodation and other Purposes of their Undertaking, as by the recited Acts authorized, additional Lands in the Parishes of *Herne* and *Saint George's, Ramsgate*, in the County of *Kent*: And whereas it is expedient that the Company, or any other Company or Persons interested in the Trade of *Ramsgate* Harbour, should be empowered to enter into Contracts with the Board of Trade for the Use or for the Construction and Use of Horse Railways or Tramways upon the Quays and the East Pier of the said Harbour: And whereas it is expedient that the Company be authorized to raise further Money for the Purposes of this Act: And whereas the original Line was constructed and opened as a single Line, but it has been found expedient that a double Line of Way should be constructed on the original Line, and also on the other Railways of the Company, and in connexion with the Works authorized by "The *Kent Coast* Railway Act, 1861," the Company have been required to execute additional Works, and by these Means have incurred and must incur additional Expenditure, and it is expedient that they be authorized to raise further Monies for the Purposes of the recited Acts: And whereas the Objects before mentioned 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; (that is to say,)

Short Title.

1. This Act may be cited for any Purpose as "The *Kent Coast* Railway Act, 1862."

2. "The



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2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and "The Railways Clauses Consolidation Act, 1845," shall (except in so far as the Provisions of those Acts are expressly varied or excepted by this Act) be incorporated with and form Part of this Act.

8 & 9 Vict.  
cc. 18. and  
20. and  
23 & 24 Vict.  
c. 106. incor-  
porated.

3. The Clauses and Provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the Distribution of the Capital of the Company into Shares, with respect to the Transfer or Transmission of Shares, with respect to the Payment of Subscriptions and the Means of enforcing the Payment of Calls, with respect to the Forfeiture of Shares for Nonpayment of Calls, with respect to the Remedies of Creditors of the Company against Shareholders, with respect to the Consolidation of the Shares into Stock, with respect to the borrowing of Money by the Company on Mortgage or Bond, with respect to the Conversion of the borrowed Money into Capital, and with respect to the making of Dividends, shall be incorporated with this Act, and shall respectively apply to all Shares and Capital created and Monies borrowed under the Powers of this Act.

Certain  
Provisions of  
8 & 9 Vict.  
c. 16. incor-  
porated.

4. In construing this Act, and in connexion with this Act the Acts and Parts of Act incorporated herewith, the Expression "the Special Act" shall mean this Act; the Expression "the Company," and the Expression "the Promoters of the Undertaking," respectively shall mean the Company incorporated by the firstly-recited Act, and now styled "The *Kent Coast Railway Company*;" the Expression "the Undertaking" shall mean all the Railways, Railways or Tramways, Works, and Undertaking of the Company by this Act and the recited Acts respectively authorized; the Term "Superior Courts" shall include any County or other Court having by Law Cognizance of the Action; the Word "Share" shall include Stock; unless in either Case there be something in the Subject or Context repugnant to or inconsistent with such Construction.

Interpre-  
tation of  
Terms.

5. And whereas Plans and Sections of the aforesaid Portion of Railway and of the intended Railway or Tramway showing the Lines and Levels thereof, with a Book of Reference to those Plans containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and of the Occupiers of the Lands required, or which may be taken for the Purposes of that Portion of Railway, and of that Railway or Tramway, have been deposited for public Inspection with the Clerk of the Peace for the County of *Kent*: Therefore, subject to the Provisions in this Act and the incorporated Acts contained, the Company may make and maintain the aforesaid Portion of Railway, and the intended Railway or Tramway herein-after described, in the respective Lines or Courses and upon the Lands delineated on those Plans and described in that Book of Reference,

Power to  
make Works  
according to  
deposited  
Plans.

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Reference, and according to the Levels defined on those Sections, and may, subject to the Provisions of this Act, enter upon, take, and use such of those Lands as may be necessary for those Purposes.

Not to enter upon Lady Truro's Property without Consent.

6. Nothing in this Act contained shall authorize the Company to enter upon or take any Land belonging to the Right Honourable *Augusta Emma Dowager Baroness Truro* without her Consent in Writing.

Description of Works..

7. The Works by this Act authorized comprise the following; (to wit,)

The Construction, Completion, and Maintenance of the original Line across the said Road in the Parish of *Herne* in the County of *Kent*:

The Construction and Maintenance of a Railway or Tramway No. 1. in the Parish of *Saint George's, Ramsgate*, in the County of *Kent*, commencing by a Junction with the authorized Line of the *Ramsgate* Extension of the *Kent Coast* Railway to the South-west of *Augusta Stairs*, and terminating outside of and adjoining to *Ramsgate* Harbour at a Point measured on the deposited Plans of Railway No. 1. from the Commencement thereof One Furlong Seven Chains.

Level Crossing.

8. Subject to the Provisions in this Act and "The Railways Clauses Consolidation Act, 1845," contained, the Company may, in the Construction of the Railway or Tramway by this Act authorized, carry the same across and on the Level of the Road which, on the Plans deposited for the Purposes of this Act, is numbered 10, in the Parish of *Saint George, Ramsgate*: Provided always, that while the Railway or Tramway crossing that Road consists of a single Line, not more than a single Line of Way, and when such Railway or Tramway consists of a double Line, not more than a double Line of Way, shall be laid by the Company across such Road: Provided also, that Carriages propelled by Steam or by atmospheric Agency, or drawn by Ropes in connexion with a Stationary Engine, shall not be used on the Railways or Tramways by this Act authorized: Provided, that unless and until the Commissioners for executing the Act of the Second Year of the Reign of Her present Majesty, for paving, lighting, watching, and improving the Parish of *Ramsgate*, and regulating the Police thereof (in this Act called the *Ramsgate* Town Commissioners), by Writing under the Hands of at least Seven of the Commissioners, otherwise consent, the Company shall provide and maintain at each End of that level Crossing a proper and sufficient Gate, Fence, Chain, or other mechanical Means (herein called Gate), for the Protection of the Public across that Railway or Tramway, and a proper and sufficient Bell hung at or near to the respective Gates, with proper and sufficient Apparatus for ringing the same, and shall at all Times when the said  
Railway

Gates, &c. at level Crossing.



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Railway or Tramway shall be in actual Use employ a Servant of the Company to watch the Crossing at each of those Gates; and with respect to each of those Gates it shall be opened only when and so long as shall be necessary for permitting the Passage of Carriages along that Railway or Tramway, and before every opening thereof the Servant aforesaid shall ring the Bell so long and so loudly as shall be proper and sufficient for warning all Persons of the Approach of the Carriages; and the Company shall perform their several Obligations under this Section to the reasonable Satisfaction of the *Ramsgate* Town Commissioners.

9. With the Consent of the Board of Trade, the Company shall make and maintain from the Pier to the Sands at *Ramsgate* (in addition to the Works there provided for by "The *Kent Coast* Railway Act, 1861,") a proper and sufficient Road or Way of the clear Width throughout of at least Twelve Feet, and adapted for the convenient Passage of Foot Passengers.

Road from Pier to Sands at Ramsgate.

10. The Company shall make from the Westernmost Gate of or Entrance to the Pier at *Ramsgate* to their Station at *Ramsgate* a proper and sufficient Road for the Use of the Public, of the Width throughout, including the Site of the present Road, of at least Thirty-five Feet, measured from the South Front of the Southernmost of the now existing Houses on the Northern Side of the Site of that intended Road, with proper and sufficient Pavements for Foot Passengers.

Road from Western Pier Gate to Station at Ramsgate.

11. The Board of Trade on the one hand, and the Company or any other Company or Person on the other hand, from Time to Time may enter into and carry into effect all such Contracts as the contracting Parties from Time to Time think fit, with respect to all or any of the Purposes following; (that is to say,)

Power to construct other Works by Agreement with Board of Trade.

First, the Construction and Maintenance by the contracting Parties, or any or either of them, of any Railways or Tramways, Houses, Sheds, Warehouses, Offices, Works, and Conveniences on, along, through, under, across, or over any Part or Parts of the Lands, Hereditaments, or Works at *Ramsgate* vested in the Board of Trade by "The Harbours and Passing Tolls, &c. Act, 1861 :"

Secondly, the Occupation, working, or using by any such Company or Person of all or any Part of such Railways or Tramways, Houses, Sheds, Warehouses, Offices, Works, and Conveniences :

Thirdly, the Collection, Transmission, Delivery, Protection, and Accommodation of Traffic of any Description on and at all or any Parts of such Railways or Tramways, Houses, Sheds, Warehouses, Offices, Works, and Conveniences :

Fourthly, the Payments, annual or otherwise, to be made by the contracting Parties to any other or others of them :

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Fifthly,

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Fifthly, the fixing and collecting by and paying to and by the contracting Parties, or any of them, of all or any of the Tolls, Fares, Rates, and Charges from Time to Time received or receivable in respect of all or any Part of such Traffic on or at all or any Part of the Railways and Premises of *Ramsgate Harbour*.

Not to shunt  
Trains on  
level Cross-  
ing.

**12.** It shall not be lawful for the Company, in shunting Trains, to pass any Train over the level Crossing, or to allow any Train, Engine, Carriage, or Truck to stand across the same.

Power to  
alter Engi-  
neering  
Works.

**13.** Notwithstanding anything in "The Railways Clauses Consolidation Act, 1845," contained, the Company, in the Construction of the Railway, may deviate from the Line and Levels of any Arches, Tunnels, or Viaducts described in the deposited Plans or Sections, so as the Deviations be made within the Limits of Deviation shown on those Plans, and subject to the Limitations contained in the Eleventh, Twelfth, and Fifteenth Sections of that Act, and so as the Nature of the Work as described be not altered, and they may also substitute any other Engineering Work not shown on those Plans or Sections, instead of a Tunnel, Viaduct, Arch, or Arches as shown thereon: Provided that every such Substitution be authorized by a Certificate of the Board of Trade, and the said Board is hereby empowered to grant such Certificates provided it shall appear to them upon due Inquiry that the Company has acted in the Matter with good Faith, and that the Owners, Lessees, and Occupiers of the Land in which the Substitution is intended to be made consent thereto, and also that the Safety and Convenience of the Public will not be diminished thereby: Provided that nothing herein contained shall take away or affect any of the Powers given to the Company or to the Board of Trade by the Eleventh, Twelfth, Fourteenth, or Fifteenth Sections of "The Railways Clauses Consolidation Act, 1845."

Plans to be  
deposited at  
Admiralty as  
to Works  
below High-  
water Mark.

**14.** Previously to commencing any Work below High-water Mark the Company shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Work for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain and Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Work shall be constructed only in accordance with such Approval; and when any such Work shall have been commenced or constructed, it shall not be lawful for the Company at any Time to alter or extend the same without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval; and if any such Work shall be commenced or completed, or be altered, extended, or constructed, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the

the



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the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and be recoverable accordingly, with Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

**15.** If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Company in, over, or affecting any tidal or navigable Water or River, or of the intended Site thereof, the Company shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Company, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Admiralty  
may order  
local Survey  
at Expense  
of Company.

**16.** If any Work constructed or to be constructed by the Company in, under, over, through, or across any tidal Water or navigable River, or if any Portion of any Work which affects or may affect any such Water or River, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Company, and the Amount thereof shall be a Debt due from the Company to the Crown, and if not paid upon Demand may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the Company.

Works af-  
fecting tidal  
Waters  
abandoned  
may be re-  
moved by  
Admiralty at  
Expense of  
Company.

**17.** The Quantity of Land to be purchased by the Company under the Authority of this Act for extraordinary Purposes, as defined in "The Railways Clauses Consolidation Act, 1845," shall not exceed One Acre.

Land for ex-  
traordinary  
Purposes.

**18.** And whereas Plans of the Lands required by the Company for Station Accommodation and other Purposes of their Undertaking, as by the recited Acts authorized, with a Book of Reference to those Plans, have been deposited with the Clerk of the Peace for the County of *Kent*: Therefore the Company may from Time to Time enter upon, take and use for Station Accommodation and other the Purposes aforesaid the Lands in the several Parishes of *Herne* and *Saint George's, Ramsgate*, delineated

Power to  
take Lands  
for Station  
Accommoda-  
tion, &c.

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delineated on those Plans and described in that Book of Reference, and included within a Red Line on those Plans.

Lands of Board of Trade not to be taken without Consent.

**19.** Nothing in this or the recited Acts contained shall be deemed to empower the Company to enter upon, take, or use any of the Lands, Hereditaments, or Works vested in the Board of Trade by "The Harbours and Passing Tolls, &c. Act, 1861," without or otherwise than in accordance with the previous Consent in Writing of the Board of Trade, under the Hand of One of the Secretaries or Assistant Secretaries of the Board.

Powers for compulsory Purchases limited.

**20.** The Powers of the Company for the compulsory Purchase of any Lands which they are by this Act authorized to take shall not be exercised after the Expiration of Three Years from the passing of this Act.

Limiting Time for Completion.

**21.** The aforesaid Portion of Railway and Bridge for crossing the said Road shall be completed within Two Years, and the intended Railway or Tramway shall be completed within Five Years from the passing of this Act; and upon the Expiration of the respective Period by this Act limited for the Completion of any Work, all the Powers by this Act granted in relation to that Work shall cease to be exercised, except as to so much of the same as shall then be completed.

Dividends suspended if Railways, &c. not opened within Time limited.

**22.** If the aforesaid Portion of Railway and Bridge for crossing the said Road by this Act authorized to be constructed shall not be constructed and opened for public Traffic within the Period by this Act limited for the Completion thereof, then from the Expiration of that Period it shall not be lawful for the Company to declare or pay any Dividend on the ordinary Capital of the Company until that Portion of Railway and Bridge shall have been completed and opened for public Traffic.

Power to take Tolls.

**23.** The Company may demand and take the same Tolls for the Use of the said Portion of Railway and Railway or Tramway No. 1, herein-before described, and the other Railways or Tramways by this Act authorized to be constructed on Lands at *Ramsgate* vested in the Board of Trade, when and so long as the same shall be worked by the Company, and for Carriages, Trucks, and locomotive Power supplied by them for Use thereon, as they are authorized to demand and take under and by virtue of "The *Herne Bay and Faversham* Railway Act, 1857," and as if the Railways and Railway or Tramway by this Act and the recited Acts authorized formed One Railway: Provided always, that as regards the said Railway or Tramway No. 1, herein-before described and by this Act authorized to be constructed by the Company, and the other Railways or Tramways by this Act authorized to be constructed on Lands at *Ramsgate* vested



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vested in the Board of Trade, the Company may take the same Tolls and Charges for Horses as for Locomotive Engines on their Railway.

24. In all respects not by or under the Provisions of this Act otherwise provided for, the said Portion of Railway and Bridge, and Railways or Tramways, shall be deemed Part of the Undertaking of the Company authorized by "The *Herne Bay and Faversham Railway Act, 1857*," as if they had originally formed Part thereof.

Railways to be Part of Undertaking.

25. The Company may from Time to Time raise (in addition to their Capital by the recited Acts authorized), by the Creation and Issue of new Shares in the ordinary Capital of the Company, either of One Class or of different Classes, and of such Amounts as will allow the same to be conveniently appropriated and disposed of according to the Resolutions of any Ordinary or Extraordinary Meeting of the Company, any Sum not exceeding in the whole Two hundred and sixty-four thousand Pounds for the Purposes by this Act and the recited Acts authorized.

Power to create new Shares.

26. If after having created any Shares under the Powers of this Act the Company resolve not to issue the same, they may cancel the Shares to which such Resolution applies, and in lieu thereof may create and issue other Shares, not exceeding the aggregate Amount unpaid upon the Shares so cancelled.

Power to cancel unissued Shares.

27. And whereas it is expedient that the Shares representing the said Sum of Sixty thousand Pounds, created under the Powers of "The *Kent Coast Railway Act, 1861*," should, with the Consent of all the Holders of those Shares, but not otherwise, be amalgamated with and form Part of the ordinary Capital of the Company, and be entitled to Dividend out of the general Profits of the Company without any Preference: Therefore, when the Consent thereto of all the Holders of the Share representing the said Sum of Sixty thousand Pounds shall have been obtained, the said Sum of Sixty thousand Pounds shall be amalgamated with and form Part of the ordinary Capital of the Company, and the Shares and Stock representing the same shall (subject to the Preference or Priority *inter se* of Half Shares bearing the same Number) entitle the registered Holders thereof to Interest or Dividend in common with other ordinary Shares and Stock of the Company out of all the Profits of the Company applicable to Dividend, anything in "The *Kent Coast Railway Act, 1861*," to the contrary notwithstanding.

Preference Capitals under 24 & 25 Vict. c. ccxli. to form Part of ordinary Capital.

28. A Certificate under the Hand of any Justice that the said Consents have been obtained shall be sufficient Evidence thereof, and on the Application of the Company and the Production of such Evidence as such Justice thinks proper and sufficient, he shall grant such Certificate accordingly.

Certificate of Justice as to Consents sufficient Evidence.

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Holders of certain Shares to give up Certificates after Amalgamation.

**29.** All Holders of Shares representing the said Sum of Sixty thousand Pounds shall, as soon as may be after such Amalgamation, deliver up the Certificates or Vouchers for such Shares to be cancelled, and thereupon the Secretary of the Company shall deliver to them in lieu thereof Certificates of Shares of corresponding Amount in the ordinary Capital of the Company, and after such Amalgamation the Company shall not be bound to register any Transfer of any of the Shares now representing the said Sum of Sixty thousand Pounds until the Certificates or Vouchers for the same are delivered up to be cancelled.

Disposition of new Shares.

**30.** All new Shares created under the Powers of this Act (except Half Shares created by the Division of any entire Share after the Issue thereof) may be disposed of in such Manner and to such Persons as the Company think fit.

Calls.

**31.** One Fifth of the total Amount of any Share issued under the Authority of this Act shall be the greatest Amount of any One Call thereon, and Three Months at the least shall be the Interval between successive Calls, and not more than Three Fourths of the Amount of a Share shall be called up in any One Year.

Qualification of new Shareholders.

**32.** All new Shares created under this Act of the Amount of Twenty Pounds each shall confer on the respective Holders thereof the same Qualifications and Rights of voting as the original Shares in the Company, and all new Shares of any other Amount shall confer on the respective Holders thereof Qualifications and Rights of voting in proportion to the aggregate nominal Value of such new Shares held by them respectively, and not in proportion to the Number of or the Amount paid on such new Shares; and for the Purposes of Qualifications and Rights of voting every entire Sum of Twenty Pounds of such aggregate nominal Value held by the same Person shall be considered as equivalent to One Share of Twenty Pounds in the Capital of the Company, and no Holder of Shares shall have any Qualification or Right of Voting in respect of any Fraction of Twenty Pounds.

Half Shares may be created.

**33.** Provided always, That the Company may, if they think fit, create and issue in preferred Half Shares and deferred Half Shares, and after Issue may, with the Consent of the registered Holders, divide into preferred Half Shares and deferred Half Shares in accordance with the Provisions of the Acts now in force relating to the Company, all or any Part of the Capital which they are by this Act authorized to raise.

Power to borrow on Mortgage.

**34.** When the whole of the additional Share Capital of the Company by this Act authorized is subscribed for or taken, and One Half thereof is paid up, the Company from Time to Time, with the Authority of any General Meeting, may borrow on Mortgage of their Undertaking (in



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(in addition to the Sum which they are by the recited Acts authorized to borrow) any Sums not exceeding in the aggregate Eighty-eight thousand Pounds; but no Money shall be borrowed under this Act until the Company shall have proved to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of the additional Share Capital by this Act authorized is subscribed for or taken, and is held by the Subscribers or their Assigns, and that such Subscribers or their Assigns are legally liable for the same, of which Proofs having been given the Certificate of such Justice under that Section shall be sufficient Evidence.

**35.** All Mortgages granted by the Company before the passing of this Act, and which are in force at the Time of the passing of this Act, shall, during their Continuance and as regards the Undertaking thereby assigned, have Priority over all Mortgages granted by virtue of this Act.

Priority of existing Mortgages.

**36.** All Monies which the Company are by this Act authorized to raise, either by Shares or by Mortgage, shall be applied only to the Purposes of the Works by this Act authorized, and of the Completion with a double Line of Way of the Railways by the recited Acts authorized, and for the Purposes of the other Works by those Acts authorized.

Application of Monies received under this Act.

**37.** The Company shall not, out of any Money by any Act relating to the Company authorized to be raised by Calls in respect of Shares, or by the Exercise of any Power of borrowing, pay Interest or Dividend 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 created: Provided always, that the Company may pay to any such 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.

No Interest or Dividend to be paid on Calls paid up.

**38.** The Company shall not, out of any Money by any Act relating to the Company authorized to be raised for the Purpose of such Act or Acts, pay or deposit any Sum of Money which, by any Standing Order of either House of Parliament for the Time being 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 Railway, or to execute any other Work or Undertaking.

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

**39.** Nothing in this Act shall exempt the Railways or Tramways or the Company from the Provisions 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

Railways, &c. not exempt from Provisions of present and future General Acts.

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or any future Session of Parliament, nor from any future Revision and Alteration, under the Authority of Parliament, of the maximum Rates of Fares and Charges, or of the Tolls for small Parcels, authorized by this Act or the said recited Acts.

Not to alter  
Heads of  
Agreement  
dated 11th  
June 1861,  
referred to in  
sect. 19 of  
24 & 25 Vict.  
c. ccxli.

**40.** Nothing in this Act contained shall alter, prejudice, or affect the Heads of Agreement, dated the Eleventh Day of *June* One thousand eight hundred and sixty-one, referred to in Section Nineteen of "*The Kent Coast Railway Act, 1861,*" and thereby confirmed and made binding on the Company, or the Effect or Operation of that Section.

Expenses of  
Act.

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

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