CHAPTER cl.

An Act for authorising the Great Eastern Railway Company to execute additional Works, and for conferring on them further Powers in relation to their undertaking and the undertakings of other Companies; for amending their Acts in various particulars; and for other purposes. A.D. 1879.

[21st July 1879.]

WHEREAS it is expedient that the Great Eastern Railway Company (in this Act called "the Company") should be authorised to make and do the following works and things; (that is to say,)

To make certain short railways to connect the Company's railway with the Tottenham and Hampstead Junction Railway in the parish of Tottenham in the county of Middlesex, the Company's Colchester main line with their Sudbury branch at Marks Tey in the county of Essex, and the East Norfolk Railway with the Company's Norwich and Yarmouth line at Thorpe Saint Andrew in the county of Norfolk, also a railway from the last-mentioned line in the parish of Bradeston to the same line in the parish of Runham in the county of Norfolk:

To widen and improve certain of the Company's railways in the several counties of Norfolk, Cambridge, and Huntingdon, and in the Isle of Ely:

To widen and alter a railway bridge over the Holywell Meadow Lane near the St. Ives Station in the county of Huntingdon, and the bridge carrying the Woodgrange or Gregory's Road over the railway near the Forest Gate Station in the parish of West Ham in the county of Essex, and to authorise agreements between the West Ham Local Board of Health and the Company with reference to such last-mentioned bridge:

To improve the Company's Newport Station in the county of Essex, and in connexion with such improvement to divert or alter certain roads and a footpath near the said station:

A.D. 1879.

To divert a footpath in the parish of Tottenham leading from the Palace Gates Station to Bounds Green Lane, and to make a road or approach to the said station, and to stop up a footpath in the parish of Wymondham in the county of Norfolk which crosses the railway on the level:

To make an extension of the wharf in the said parish of West Ham, authorised by section 7, sub-section T., of the Great Eastern Railway Act, 1876:

39 & 40 Vict. c. lxviii.

To purchase lands in various counties for station and other purposes:

To extend the time for the compulsory purchase of certain lands in the several counties of Norfolk, Middlesex, Hertford, and Essex, and for the completion of the Cambridge Curve Railway in the parish of Saint Andrew the Less in the county of Cambridge, and for such of the works and operations in the parishes of Ramsey and Dovercourt in the county of Essex as are authorised by section 8, sub-sections N., O., P., Q., of the Great Eastern Railway Act, 1874, in this Act called the Act of 1874, and for the completion of the railway in the parish of Tottenham in the county of Middlesex, authorised by section 4, sub-section 6, of the Great Eastern Railway (Metropolitan Stations and Railways) Act, 1864, and therein referred to as Railway No. 6:

37 & 38 Vict. c. cxxviii.

27 & 28 Vict. c. cccxiii.

To authorise the abandonment of two curves or short junction railways which are not now required to be constructed, namely, the railway in the parish of Saint John at Hackney in the county of Middlesex, authorised by section 4 of the Great Eastern Railway Act, 1872, and the Lakenham Junction Railway in the parish of Lakenham in the county of Norfolk, authorised by section 6, sub-section B., of the Great Eastern Railway Act, 1875:

35 & 36 Vict. c. xxiv.

38 & 39 Vict. c. cxxxiv.

And whereas by the Act of 1874 (section 72) the Company were authorised to apply their capital, to an amount not exceeding fifteen thousand pounds, in the erection of buildings connected with or dependent on the structure of their metropolitan stations and railways, and such maximum amount was by the Great Eastern Railway Act, 1876, in this Act called the Act of 1876 (section 77), increased to forty thousand pounds, and it is expedient that such amount should be further increased, and that the powers conferred by the said sections should be extended, and that the Company should be empowered to build an hotel in connexion with their Liverpool Street Station, and to maintain and conduct, or from time to time to demise, such hotel for any term of years:

And whereas by the Great Eastern Railway Act, 1877, in this Act called the Act of 1877 (section 27), the Company were authorised to raise the money required for the purposes of their works and operations called the undertaking of the Stour Quay by means of a separate capital as in that section mentioned either before or after the construction of such works and operations, and it is expedient that the provisions of that section should be amended: 40 & 41 Vict. c. lxxxiii.

And whereas by an agreement dated the fifteenth day of December one thousand eight hundred and seventy-five, and made between the Ely and Saint Ives Railway Company (by their then name of Ely, Haddenham, and Sutton Railway Company) of the one part, and the Company of the other part (which agreement is set forth in a Schedule to the Ely, Haddenham, and Sutton Railway Extension Act, 1876, and by section 28 of that Act is confirmed and made binding upon the parties thereto), it is, amongst other things, provided that the Company shall take a lease of the undertaking of the Ely and Saint Ives Railway Company upon the terms and conditions therein described, and it is expedient that provision should be made for the granting of such lease: 39 & 40 Vict. c. vi.

And whereas the Company were authorised by the Great Eastern and Bury Saint Edmunds and Thetford Railway Companies Act, 1878, to purchase the undertaking of the Bury Saint Edmunds and Thetford Railway Company, and by the same Act provision is made for the Company working over the Thetford and Watton and Watton and Swaffham Railways, and for a minimum payment to be made by the Company to the Thetford and Watton and Watton and Swaffham Railway Companies in respect of such working, and the Company are also authorised by the said Act to work the local traffic of those railways by agreement with those companies, and it is expedient that provision should be made for leasing the railways of the Thetford and Watton and Watton and Swaffham Railway Companies to the Company, and for the maintenance thereof by the Company prior to such lease: 41 & 42 Vict. c. clxxv.

And whereas plans and sections describing the lines, situations, and levels of the intended railways and works, and plans describing the additional lands which the Company are by this Act authorised to take for stations, sidings, and other purposes, and books of reference to such plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of the lands which may be taken for the purposes aforesaid, and describing those lands, have been deposited as follows; (that is to say,) with respect to the railway and any works and lands in the county

A.D. 1879.

of Middlesex, with the clerk of the peace for that county; with respect to the railway and any works and lands in the county of Essex, with the clerk of the peace for that county; with respect to the railways and any works and lands wholly in the county of Norfolk, with the clerk of the peace for that county; with respect to the widening of the Ely and Lynn line, which is partly in the Isle of Ely and partly in the county of Norfolk, with the respective clerks of the peace for the counties of Norfolk and Cambridge and the Isle of Ely; with respect to any other works and lands in the Isle of Ely, with the respective clerks of the peace for the Isle of Ely and the county of Cambridge; with respect to any other works and lands in the county of Cambridge, with the clerk of the peace for that county; with respect to any lands in the county of the city of Norwich, with the clerk of the peace for that county; with respect to any works and lands in the county of Huntingdon, with the clerk of the peace for that county; and with respect to any lands in the county of Suffolk, with the clerk of the peace for that county (which respectively are in this Act referred to as the deposited plans, sections, and books of reference):

And whereas the objects 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 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 as the Great Eastern Railway Act, 1879.

Incorporation of general Acts.

2. The following enactments (as far as they are applicable for the purposes of and are not expressly varied by this Act) are hereby incorporated with and shall be part of this Act; (that is to say,)

8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869 (in this Act referred to as the Lands Clauses Acts);

32 & 33 Vict. c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict. c. 92.

The Railways Clauses Consolidation Act, 1845; and Parts I. and II. of the Railways Clauses Act, 1863, relating respectively to construction of a railway and extension of time.

Interpretation of terms.

3. In this Act, and (for the purposes of this Act) in enactments incorporated with this Act, the term "court of competent jurisdiction" shall have effect as if the debt or demand with respect to which it is used was a common simple contract debt, and not a

debt or demand created by statute, and the term "superior courts" shall include any court of competent jurisdiction; and the expression "the line of railway from Thetford to Swaffham" shall mean the railways of the Thetford and Watton and Watton and Swaffham Railway Companies.

Interpretation of terms "parish clerks, &c."

4. The expressions parish clerks and clerks of the several parishes in sections seven, eight, and nine of the Railways Clauses Consolidation Act, 1845, shall, with reference to the Company, and as regards those parishes or extra-parochial places in which by the standing orders of either House of Parliament plans, sections, and other documents are required to be deposited with the clerk of the vestry of the parish, or with the clerk of the district board for the district in which the parish or extra-parochial place is included, mean in the first case the vestry clerks of those parishes and in the second case the clerks of those district boards respectively.

Power to execute works.

5. Subject to the provisions of this Act, the Company may from time to time make, execute, and maintain, in the lines and according to the levels shown on the deposited plans and sections, the railways, improvements and alterations of railways and bridges, new road or approach, diversions of roads and footpaths, and other works described in this Act, with all proper stations, sidings, approaches, works, and conveniences in connexion therewith respectively.

Power to take lands.

6. Subject to the provisions and for the purposes of this Act, the Company may from time to time enter on, take, and use the lands delineated on and described in the deposited plans and books of reference, so far as the same plans and books of reference relate to the railways and works by this Act authorised, and to lands in the parishes specified in this Act as parishes within which lands may be taken.

Description of new railways.

7. The railways authorised by this Act are the following; (that is to say,)

(A.) A railway in the parish of Tottenham in the county of Middlesex, 1 furlong and 3·30 chains in length, commencing by a junction with the Company's railway from Hackney Downs to Edmonton, at or near the bridge carrying the said railway over the Seven Sisters Road, and terminating by a junction with the Tottenham and Hampstead Junction Railway near the bridge carrying the said railway over the public high road from Kingsland to Tottenham:

(B.) A railway in the parish of Marks Tey in the county of Essex, 1 furlong and 6 chains in length, near the Marks

A.D. 1879.

Tey Station, commencing by a junction with the Colchester main line, and terminating by a junction with the Sudbury branch:

(C.) A railway in the county of Norfolk, 11 miles, 2 furlongs, and 2 chains in length, commencing in the parish of Bradeston by a junction with the Company's Norwich and Yarmouth line near the Brundall Station, and terminating in the parish of Runham by a junction with the same line near the Yarmouth (Vauxhall) Station: Provided always, that so much of the said railway as will pass in, through, or over any of the glebe lands in the parish of Strumpshaw shall be made and maintained at such a distance from the rectory house of the said parish as that no part thereof shall be situate within one hundred and fifty yards of the said rectory house:

(D.) A railway in the parish of Thorpe Saint Andrew in the county of Norfolk, 3 furlongs and 3·20 chains in length, commencing by a junction with the East Norfolk Railway at or near the bridge carrying the said railway over the public road leading from Norwich to Blofield, and terminating by a junction with the Norwich and Yarmouth line near the Whitlingham Junction Station.

Improvements of railways.

8. The improvements of railways which the Company are by this Act authorised to make, execute, and maintain comprise the improvement of the following railways respectively by the widening thereof and the laying down thereon of an additional line or additional lines of rails; (that is to say,)

(E.) Of the Company's Dereham, Fakenham, and Wells line, to be wholly situate in the parish of Fakenham in the county of Norfolk, commencing at a point about eighteen chains south-east of the place where the public road leading from Twyford to Fakenham crosses the said line on the level, and terminating at a point about sixteen chains north-west of the said level crossing; provided that the Company shall not be empowered to lay down over the said level crossing any additional line or lines of rails beyond those already laid down over the same:

(F.) Of the Company's Ely and Lynn line, commencing in the parishes of Ely Trinity and Ely Saint Mary, or one of them, in the Isle of Ely in the county of Cambridge, at a point about four chains south-west of the place where the public road leading from Prickwillow to Ely crosses the said line on the level, and terminating in the parish

of Hilgay in the county of Norfolk, at a point about three chains south of the booking office of the Hilgay Fen Station:

(G.) Of the Ely and Lynn line in the county of Norfolk, commencing in the parish of Downham Market at a point about six chains north of the booking office of the Downham Station, and terminating in the parish of Watlington at a point about thirteen chains south of the booking office of the Magdalen Road Station:

(H.) Of the Cambridge main line in the county of Cambridge, commencing in the parish of Trumpington, at a point about one chain north of the place where the public road leading from Cherry Hinton to Trumpington crosses the said main line on the level, and running into and terminating in the parish of Saint Andrew the Less at or near the bridge carrying the public road leading from Linton to Cambridge over the said main line near Cambridge Station:

(I.) Of the Norwich and Yarmouth line in the county of Norfolk, commencing in the parish of Runham at a point about seventy-six chains, measured along the said line in a north-westerly direction, from the booking office of the Yarmouth (Vauxhall) Station, and running into and terminating in the hamlet of South Town in the county of Norfolk, part of and belonging to the hamlet of South Town, parish of Gorleston, in the county of Suffolk, near the engine shed at the said Yarmouth (Vauxhall) Station:

(J.) Of the Cambridge and Ely main line in the parishes of Ely Saint Mary and Ely Trinity in the Isle of Ely in the county of Cambridge, commencing at a point about thirteen chains south-west of the south-west end of the engine shed at Ely Station, and terminating at or near the bridge carrying the said main line over the public road leading from Soham to Ely.

The other works by this Act authorised comprise the following; (that is to say,)

(K.) A widening and alteration of the bridge in the parish of Saint Ives in the county of Huntingdon carrying the Saint Ives and March Railway of the Company over the road known as Holywell Meadow Lane at or near the Saint Ives Station:

(L.) A widening and alteration of the bridge in the parish of West Ham in the county of Essex carrying the road known as Woodgrange Road, otherwise Gregory's Road,

A.D. 1879.

over the Colchester main line of the Company at the Forest Gate Station:

(M.) The improvement of the Newport Station in the parish of Newport in the county of Essex, and the diversion of the public road leading from Thaxted to Newport, now crossing the railway on the level near the north end of the goods shed at Newport Station, which said diversion will commence at a point in the said road at or near the north-east end of the said goods shed, and will terminate at or near the bridge carrying the public road from Debden to Newport over the railway, the inclination of which diversion shall not exceed one foot in twenty feet, also the diversion and stopping up of the occupation roadway leading from the said level crossing to a field adjoining the railway, and on the eastern side thereof, in the occupation of Thomas Shirley: the said improvement will also include an alteration or diversion of the public footpath running parallel with the railway, and leading from the said road from Thaxted to Newport to the said road from Debden to Newport, and the extinction of any right of way over the railway at the said level crossing: Provided that the Company shall not stop up the said level crossing unless and until they have provided accommodation for the goods traffic at the Newport Station on the western side of the railway, and also provided at or near the site of the said level crossing a way for foot passengers across the railway either on the level or by means of a footbridge, as the Company may determine:

(O.) The diversion in the parish of Tottenham in the county of Middlesex of the footpath leading from the Palace Gates Station of the Alexandra Park branch of the Company northward to Bounds Green Lane, near the place where Nightingale Road joins that lane, which said diversion will commence at a point about five chains north of the booking office of the said station, and terminate in Bounds Green Lane near the junction therewith of the said Nightingale Road:

(P.) An extension of the wharf authorised by the Great Eastern Railway Act, 1876, and comprised in sub-section T. of section 7 of that Act, such extension to be wholly situate in the parish of West Ham in the county of Essex, commencing at the southern extremity of such authorised wharf and terminating in the premises of the Thames Ironworks Company:

(Q.) A road or approach in the said parish of Tottenham to the Palace Gates Station of the Company's Alexandra Park branch, commencing at a point about sixty yards south-east of the eastern end of the footbridge crossing the Great Northern Railway at the Wood Green Station, and terminating at a point about twenty yards south of the western end of the footbridge over the said Alexandra Park branch at the southern end of the Palace Gates Station. A.D. 1879.

Protecting London and North-western Railway Company.

9. The Company shall not, without the consent in writing of the London and North-western Railway Company under their common seal, in executing the improvement (H.) of the Cambridge main line, acquire or interfere with any property belonging to that company, or in which they are interested, or any part thereof.

Company may enter into agreements with West Ham Local Board of Health.

10. The Company may enter into agreements with the West Ham Local Board of Health with respect to the construction of the widening and alteration of the bridge carrying the Woodgrange otherwise Gregory's Road over the Colchester main line near the Forest Gate Station.

As to footpath and road on Wood Green.

11. The Company shall not under the compulsory powers of this Act take any land on Wood Green in the parish of Tottenham in the county of Middlesex except so much as shall be actually required for the diversion of the footpath leading from the Palace Gates Station of their Alexandra Park branch to Bounds Green Lane, and for the road or approach to the said Palace Gates Station by this Act respectively authorised, and shall not fence on either side so much of the said footpath or road or approach as will be situate on Wood Green aforesaid.

Protecting Conservators of River Thames.

12. For the protection of the Conservators of the River Thames (in this section referred to as the Conservators), be it enacted as follows:

(A.) Nothing in this Act contained shall authorise the Company to embank, encroach upon, or interfere with any part of the shore, soil, or bed of the River Thames, or of any creek or inlet thereof, except according to a plan to be previously approved by the Conservators:

(B.) The Company shall not take any gravel, soil, or other material from the bed of the River Thames, or of any creek or inlet thereof, without the previous consent of the Conservators in writing under the hand of their secretary:

A.D. 1879.

(c.) If any work to be constructed by the Company in, under, over, through, or across the River Thames, or any creek or inlet thereof, or if any portion of any work which affects or may affect that river, shall be abandoned or suffered to fall into disuse or decay, it shall be lawful for the Board of Trade or for the Conservators to abate and remove the same, or such part or parts thereof as 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 or the Conservators, and if not paid upon demand may be recovered as a debt due to the Crown or the Conservators, as the case may be, with the costs of suit, or may be recovered with costs as a penalty is or may be recoverable from the Company:

(d.) The Company shall not make or commence any work whatsoever on the shore or bed of the River Thames, or of any creek or inlet thereof, without the consent of the Conservators in writing under the hand of their secretary first had and obtained:

(e.) During the construction of the works authorised by this Act on the shore or bed of the River Thames, or of any creek or inlet thereof, the Company shall hang out or exhibit thereat or near thereto, and for ever after the completion of the said works the Company shall hang out or exhibit upon the said works, every night, from sunset to sunrise, lights to be kept burning by and at the expense of the Company, and proper and sufficient for the navigation and safe guidance of vessels, and the lights shall be from time to time altered by the Company in such manner and be of such kind and number and be so placed as the Conservators shall by writing under the hand of their secretary approve of, and in case the Company shall neglect to exhibit and keep the lights burning as aforesaid, they shall forfeit and pay for every such offence the sum of ten pounds:

(f.) Except as by this Act expressly enacted, nothing in this Act contained shall extend to or be construed to extend to prejudice or derogate from the estates, rights, interests, liberties, privileges, or franchises of the Conservators, or to prohibit, defeat, alter, or diminish any power, authority, or jurisdiction which at the time of passing this

Act the Conservators did or might lawfully claim, use, or exercise. A.D. 1879.

Protecting New River Company.

13. The Company shall not, without the consent in writing of the New River Company under their common seal first had and obtained, enter upon, take, or use for the purposes of the road and approach in the parish of Tottenham described in section eight, sub-section Q., of this Act, any lands belonging or reputed to belong to the New River Company, except such part of the land numbered 6 and described in the deposited plans and books of reference as shall be actually required for the purposes of constructing the said road and approach in the line shown on the said deposited plans.

Lands of North London Railway Company not to be taken without consent.

14. The Company shall not, without the consent of the North London Railway Company under their common seal, either permanently or temporarily, enter upon, take, or use any portion of the land belonging or claimed to belong to the said North London Railway Company in the parish of Saint Leonard, Shoreditch, in the county of Middlesex, and numbered 26 on the deposited plans and in the books of reference, but the Company may nevertheless, with such consent of the North London Railway Company as aforesaid, purchase and take, and the North London Company may sell and grant accordingly to the Company, an easement or right of using such land for the purpose for which but for this enactment the Company might purchase and take the same.

Level crossings and diversions of bridges.

15. In executing and maintaining the improvements of railways and alterations of bridges by this Act authorised the Company may lay down and maintain an additional line of railways across and on the level of the several roads which any existing railway so improved crosses on the level, and may construct the bridges for effecting such improvements or alterations of the same height, span, and dimensions as the existing bridges, but, except as in this Act is specially authorised, no such additional line shall be laid down where a road is already crossed on the level by two or more lines of railway.

Power to cross certain roads on the level.

16. Subject to the provisions in the Railways Clauses Consolidation Act, 1845, and in Part I. (relating to the construction of a railway) of the Railways Clauses Act, 1863, contained in reference to the crossing of roads on the level, the Company may, in the construction of the railways, carry the same with a single line only whilst the railways shall consist of a single line, and afterwards with a double line only, across and on the level of the roads next herein-after mentioned; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.
	(c.) Railway from Brundall to near Yarmouth.	
31	Strumpshaw - - -	Public road.
44	Strumpshaw - -	Public road.
1	Lingwood - - - -	Public road.
19	Lingwood - - -	Public road.
74	Acle - - -	Public road.

Height of bridge.

17. The Company may make the arch of the bridge for carrying the railway over the road next herein-after mentioned of any height not less than the height herein-after mentioned; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Height.
	(c.) Railway from Brundall to near Yarmouth.		
9	Bradestone - -	Public road - -	14 feet.

Notice to be given of taking houses of labouring classes.

18. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

Company to procure accommodation for persons of labouring classes to be displaced.

19. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of a house which the Company are by this Act authorised to acquire, the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person: Provided always, that if any question shall arise as to the sufficiency of such accommodation, the same shall be determined by a justice; and the Company may, for the purpose of providing such accommodation, appropriate any lands for the time being belonging to them or which they have power to acquire, and may purchase lands by

agreement, and may on any such lands erect labouring-class dwellings, and may let or otherwise dispose of such lands. A.D. 1879.

Power to take easements, &c. by agreement.

20. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rentcharges, so far as the same are applicable in this behalf, shall extend and apply to such grants, and to such easements, rights, and privileges as aforesaid respectively.

Extending time for compulsory purchase of lands.

21. The period limited by the Great Eastern Railway Act, 1876, for the compulsory purchase and taking of lands, shall, so far as relates to the Forncet and Wymondham Junction Railway in the county of Norfolk, authorised by section 6, sub-section A., of the said Act, and so far as relates to the Bishopsgate Station improvement authorised by section 7, sub-section H., of the said Act, the Bethnal Green and Bow improvement authorised by section 7, sub-section J., of the said Act, and so far as relates to the works in the parishes of Tottenham, in the county of Middlesex, and Bishop Stortford, in the county of Hertford, authorised by section 7, sub-sections Q. and R., of the said Act, be extended, and the said powers shall continue in force until the expiration of two years from the twenty-seventh day of June one thousand eight hundred and seventy-nine, and the period limited by the Great Eastern Railway Act, 1874, for the compulsory purchase and taking of lands, shall, so far as relates to the works and operations authorised by section 8, sub-sections M., N., O., P., Q., of the last-mentioned Act, revive and be extended, and the said powers shall continue in force until the expiration of two years from the sixteenth day of July one thousand eight hundred and seventy-nine.

Extending time for completion of certain railways and works.

22. The time limited by the Great Eastern Railway Act, 1876, for the completion of the railway authorised by the Great Eastern Railway (Metropolitan Station and Railways) Act, 1864, and therein called Railway No. 6, and the time limited by the Great Eastern Railway Act, 1874, for making the Cambridge Curve Railway authorised by section 6, sub-section C., of that Act, and for making and completing the works and operations in the parishes of Ramsey and Dovercourt, in the county of Essex, authorised by section 8, sub-sections N., O., P., and Q., of that Act, shall be enlarged and extended for a period of three years from the passing of this Act; and if on the expiration of the extended period the said railways, works, and operations shall not be completed,

A.D. 1879.

the powers by the said Acts or this Act granted for making the same, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof respectively as shall then be completed. The powers conferred on the Company by this section are subject and without prejudice to the covenants entered into by the Company with Edgar Walter Garland, and dated the second day of December one thousand eight hundred and seventy-eight.

Protecting Harwich Harbour Conservancy Board.

23. Nothing in this Act contained shall in any manner or to any extent impair the jurisdiction, nor alter, modify, take away, prejudice, or extinguish any of the rights or powers of the Harwich Harbour Conservancy Board over or in relation to any of the works of the Company authorised to be carried out under the provisions of the Act of 1874, or the Act of 1876, or this Act, or any or either of them, but such said jurisdiction, rights, and powers shall remain to the said Harwich Harbour Conservancy Board as if this Act had not been passed.

Penalty imposed unless railways opened within time limited.

24. If the Company fail within the period limited by this Act to complete the railways by this Act authorised, or the railways the time for completing which is by this Act extended, they shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railways are completed and opened for public traffic, or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the railways or railway not completed; and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act, or by the Solicitor of Her Majesty's Treasury, and in the same manner as the penalty provided in section three of the Railway and Canal Traffic Act, 1854; and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General, on behalf of the Chancery Division of the High Court of Justice, in the bank specified in such warrant or order, and shall not be paid thereout except as herein-after provided; but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway by unforeseen accident or circumstances beyond their control; provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

17 & 18 Vict. c. 31.

Application of penalty.

25. Every sum of money so recovered by way of penalty for the non-completion of the railways by this Act authorised, or the

railways the time for completing which is by this Act extended, shall be applicable, and after due notice in the London Gazette shall be applied, towards compensating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of such railways, or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act, and for which injury or loss no compensation, or inadequate compensation, shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Chancery Division of the High Court of Justice may seem fit; and if no such compensation shall be payable, or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation, then the said sum or sums of money recovered by way of penalty, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer, in such manner as the Chancery Division of the High Court of Justice thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom; or, in the discretion of the Chancery Division of the said Court, if the Company is insolvent, and has been ordered to be wound up, or a receiver has been appointed, shall wholly or in part be paid or transferred to such receiver, or to the liquidator or to liquidators of the Company, or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Period for completion of works.

26. If the railways and works by this Act authorised and described on the deposited plans are not completed within five years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Company for making and completing the said railways and works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Tolls on railways.

27. The railways authorised by this Act shall, subject to the provisions of this Act, be in respect of tolls and in all other respects part of the undertaking of the Company.

Power to stop up footpath over railway at Wymondham.

28. The Company may stop up and cause to be discontinued as a public thoroughfare the footpath in the parish of Wymondham, in the county of Norfolk, which crosses the railway on the

A.D. 1879.

level about nineteen chains from the booking office at the Wymondham Station, measured in a south-westerly direction along the line of railway, so far as the same crosses the Company's premises, and all rights of way over the railway at such level crossing shall cease and be extinguished from the time of the stopping up of such footpath; provided that the Company shall not stop up or interfere with the said footpath unless and until they shall have provided to the reasonable satisfaction of the surveyors of highways for the said parish a public right of footway across the railway at the Wymondham Station by means of an extension of the existing footbridge there, with proper access thereto from the public highways on each side of the railway, or by such other means as may be agreed upon between the Company and the said surveyors. If any dispute or difference shall arise between the Company and the said surveyors as to the provision to be made for such public right of footway, the same shall be determined by an arbitrator to be appointed by the Board of Trade on the application of either party.

Certain railways to be abandoned.

29. The Company shall abandon the construction of the railway authorised by section 4 of the Great Eastern Railway Act, 1872, and the railway authorised by the Great Eastern Railway Act, 1875, and therein called the Lakenham Junction Railway.

Compensation for damage to land by entry, &c. for purposes of railways abandoned.

30. The abandonment by the Company under the authority of this Act of any portion of any railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil or setting out of the line of the railway, and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation, or for any loss, damage, or injury which has been sustained by such owner or occupier by reason thereof, or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act, 1845, the Great Eastern Railway Act, 1872, and the Great Eastern Railway Act, 1875, or any of them.

Compensation in respect of portions of railways abandoned.

31. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portions of the railways authorised to be abandoned by this Act, the Company shall be released from all liability to purchase or to complete the purchase of any such lands; but, notwithstanding, full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all

injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice, and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act, 1845, as amended by any subsequent Act, for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Lands to be taken.

32. The Company may take under the powers of this Act for stations, sidings, and other purposes, in addition to the lands authorised by this Act to be taken for the railways, improvements, and other works by this Act authorised, the lands shown on the deposited plans and described in the deposited books of reference, and situate in the parishes of Walthamstow, otherwise Saint Mary, Walthamstow, Little Ilford, and Low Leyton, otherwise Saint Mary, Leyton, in the county of Essex, Tunstall-cum-Dunningworth in the county of Suffolk, Duxford in the county of Cambridge, Ely Saint Mary in the Isle of Ely in the county of Cambridge, Hilgay in the county of Norfolk, Saint Ives in the county of Huntingdon, and in the hamlets of Thorpe, parish of Thorpe Saint Andrew, and Trowse Milgate, parish of Trowse Newton, in the county of the city of Norwich, and in the parishes of Saint Leonard, Shoreditch, and Saint Matthew, Bethnal Green, in the county of Middlesex, and the Company may construct works upon such lands for the purposes of their undertaking.

Extending 39 & 40 Vict. c. lxviii. s. 12. to this Act.

33. Section 12 of the Great Eastern Railway Act, 1876, for protection of sewers of Metropolitan Board of Works, and of vestries and district boards, shall extend and apply, so far as applicable, to the works referred to in the preceding section.

Period for compulsory purchase of lands.

34. 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 three years from the passing of this Act.

Power to purchase and hold certain lands by agreement.

35. For the purpose of giving additional accommodation for the purposes of their traffic at their Liverpool Street Station, the Company may, in addition to any lands which they have compulsory power to purchase, and to any lands which they have purchased and have power to purchase for extraordinary purposes, under the powers of their existing Acts, by agreement, purchase and may hold any lands in the parish of Saint Botolph, Bishopsgate, in the city of London, and lying between the eastern side of that station and Bishopsgate Street Without.

Power to provide hotel &c. in con-

36. The Company may build, provide, and maintain as part of their undertaking at or connected with their Liverpool Street

A.D. 1879.

nexion with Liverpool Street Station.

Station, in the city of London, an hotel, and may furnish, stock, equip, manage, and conduct the same and the business thereof, and may employ officers, managers, and servants therein or in connexion therewith, and may from time to time demise the same for terms of years or otherwise, and may apply their corporate funds for those purposes, or any of them.

As to capital for Stour Quay.

37. The Company may, out of the separate capital to be raised for the purposes of the Stour Quay under the provisions of section 27 of the Great Eastern Railway Act, 1877, refund to their general capital any money which may previously to the raising of such separate capital have been expended out of such general capital for the purposes of the said quay, and the works connected therewith.

Power to apply additional capital to certain purposes.

38. Section 72 of the Act of 1874, as amended by section 77 of the Act of 1876, authorising the Company to apply capital in erecting upon land belonging to them any buildings connected with or dependent on the structure of their metropolitan stations and railways shall be read and construed as if the sum named therein had been seventy-five thousand pounds (exclusive of money applied for the purposes of the hotel) instead of forty thousand pounds.

As to widening of main line under Bishopsgate (High Level) Station.

39. In converting the Bishopsgate (High Level) Station into a goods station under the provisions of the Great Eastern Railway Act, 1876, the Company may adapt and appropriate any part of the under portion thereof to the future widening and improvement of their main line into the Liverpool Street Station, and may apply any of the general capital or funds of the Company for that purpose.

Power to apply existing funds.

40. The Company may raise and apply for or towards any of the purposes of this Act any money which they are already authorised to raise, and which may not be required by them for the special purposes for which that money was authorised to be raised.

As to lease of Ely and Saint Ives Railway.

41. The Ely and Saint Ives Railway Company shall grant to the Company, and the Company shall accept and take, a lease of the undertaking of the Ely and Saint Ives Railway, comprising all the railways, stations, buildings, works, and conveniences of the Ely and Saint Ives Railway Company, and all their powers, rights, authorities, and privileges in relation thereto, for a term of nine hundred and ninety-nine years.

Company to maintain railway in

42. The Company shall, during the continuance of the lease, uphold and maintain the Ely and Saint Ives Railway in good and

efficient repair and working condition, and shall as from the commencement of the lease pay and discharge all rentcharges, rates, taxes, and outgoings of every description which may thenceforth be payable in respect of the said railway, except income or property tax on the rent by this Act secured, and shall also as and from the commencement of the lease perform all the duties and obligations imposed upon or which the Ely and Saint Ives Railway Company at the commencement of such lease were or would at any time thereafter but for the granting of the lease, whether under the provisions of the Acts relating to that company, or otherwise, have become by law subject to with respect to the said railway, or any lands taken or used by them for the purposes thereof, or any adjoining lands, or any works connected with such railway or lands.

good working order.

As to rent.

43. The amount of rent to be reserved and paid under the lease shall be ascertained and fixed upon the basis prescribed in Parts III. and IV. of the articles of contract set forth in the Schedule to the Ely, Haddenham, and Sutton Railway Extension Act, 1876, and if the Company and the Ely and Saint Ives Railway Company cannot agree upon the actual amount, the same shall be determined by arbitration in manner provided by the Railway Companies Arbitration Act, 1859.

22 & 23 Vict. c. 59.

Line of railway from Thetford to Swaffham to be leased to Company.

44. The Thetford and Watton Railway Company, so far as relates to all that part or those parts of the line of railway from Thetford to Swaffham, and the stations, approaches, buildings, works, and conveniences connected therewith which are comprised in the undertaking of that company, and the Watton and Swaffham Railway Company, so far as relates to all that part or those parts of the line of railway from Thetford to Swaffham, and the stations, approaches, buildings, works, and conveniences connected therewith which are comprised in the undertaking of the last-mentioned Company, shall join in granting a lease of the said line of railway, stations, approaches, buildings, works, and conveniences, or shall respectively grant a lease of their said respective undertaking to the Company for a term in either case of nine hundred and ninety-nine years from the thirty-first day of December one thousand eight hundred and seventy-nine, and the Company shall accept such lease or leases, and shall hold, maintain, manage, use, and work the said line of railway, or part or parts thereof, stations, approaches, buildings, works, and conveniences thereby leased, for the rents and upon the terms and conditions prescribed in this Act and in the provisions of the Railways Clauses Consolidation Act, 1845, with respect to leasing the railway, and the expression "the railway" in those provisions shall mean the said line of railway or

A.D. 1879.

part or parts thereof so leased, and the stations, approaches, buildings, works, and conveniences connected therewith: Provided always, that no such lease shall, so far as relates to the undertaking of the Watton and Swaffham Railway Company, have any operation or effect until that company have proved to the satisfaction of the Board of Trade that they have paid up one half of the capital authorised to be raised by the Watton and Swaffham Railway Act, 1869, and have expended for the purposes of that Act a sum equal to such one half.

32 & 33 Vict. c. cxxi.

Rents reserved.

45. The rents to be reserved and made payable to the Thetford and Watton Railway Company and the Watton and Swaffham Railway Company under the said lease or leases shall be the following; (that is to say,)

		For Thetford and Watton Company. £		For Watton and Swaffham Company. £
For the year	1880 the rent or sum of	1,500	-	1,500
,,	1881 ,, ,,	1,600	-	1,600
,,	1882 ,, ,,	1,700	-	1,700
,,	1883 ,, ,,	1,800	-	1,800
,,	1884 ,, ,,	1,900	-	1,900
,,	1885 ,, ,,	2,000	-	2,000
,,	1886 ,, ,,	2,100	-	2,100
,,	1887 ,, ,,	2,200	-	2,200
,,	1888 ,, ,,	2,250	-	2,250
,,	1889 ,, ,,	2,350	-	2,250
,,	1890 ,, ,,	2,450	-	2,250
,,	1891 and every subsequent year the amount or sum of	2,550	-	2,250

And such rents shall be payable half-yearly on the fifteenth day of January and the fifteenth day of July, or within twenty-one days thereafter.

As to payment of rates, &c. on Thetford and Watton and Watton and Swaffham Railways.

46. The Thetford and Watton and Watton and Swaffham Railway Companies respectively shall pay out of such rents any rentcharges other than tithe rentcharges, and shall also pay out of such rents land tax and landlord's property tax, also all expenses of their own direction, secretary, and other officers and agents, including all the capital and legal and parliamentary charges and expenses incidental to their existence as separate companies respectively, and the Company shall pay all rates, taxes, tithes, and tenants charges which are not made payable as aforesaid by the Thetford and Watton and Watton and Swaffham Railway Companies respectively.

Line to be put into proper working order.

47. Provided always, that it shall not be obligatory upon the Company to accept a lease of the line of railway from Thetford to Swaffham, or any part thereof, unless the whole of the said line of railway shall, before the commencement of the term for which the said lease is to be granted, have been put into good working order and condition by the Thetford and Watton and Watton and Swaffham Railway Companies to the reasonable satisfaction of the engineer for the time being of the Company.

Company may maintain Thetford and Watton and Watton and Swaffham Railways prior to lease.

48. In addition to the powers conferred upon the Company by the Great Eastern and Bury St. Edmunds and Thetford Railway Companies Act, 1878, to work the through and local traffic on the Thetford and Watton and Watton and Swaffham Railways, the Company may maintain and repair the said railways upon such terms and conditions as may be arranged until the execution of the lease or leases to the Company of the said railways respectively.

Certain provisions of 8 & 9 Vict. c. 16. as to recovery of interest, &c. to apply to the recovery of rent.

49. The powers and provisions contained in sections 53 and 54 of the Companies Clauses Consolidation Act, 1845, with respect to the recovery of interest or of arrears of interest due on mortgages or bonds, and to the appointment of a receiver, shall be applicable, as far as may be, to the recovery of any half-yearly payment of rent, and of any interest for nonpayment thereof, to be recovered and made payable under the lease of the Ely and Saint Ives Railway and under the lease of the line of railway from Thetford to Swaffham respectively, and it shall be lawful for the Ely and Saint Ives Railway Company, or, as the case may be, the Thetford and Watton Railway Company, or the Watton and Swaffham Railway Company, to enforce the payment of such rent (and of any subsequent payments of such rent which may become due during such appointment) by the appointment of a receiver to receive the tolls and revenues by this Act charged with the payment of such rent, and for the purposes of either of those sections such rent shall be deemed to be interest due on mortgage.

Tolls on traffic conveyed partly on railway of Company and partly on railway or railways leased or worked.

50. During the continuance of any lease or agreement to be granted or entered into under the provisions of this Act the railway of the Company and the railway or railways leased to or worked by the Company under such lease or agreement, as the case may be, shall, for the purposes of short-distance tolls and charges, be considered as one railway; and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the railway of the Company and partly on the railway or railways so leased or worked as aforesaid for a less distance than four miles, tolls and charges may only be charged as for four miles; and in respect of passengers, for every mile or fraction of a mile beyond four miles,

A.D. 1879.

tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile or fraction of a quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short-distance charge shall be made for the conveyance of passengers, animals, or goods partly on the railway of the Company and partly on the railway or railways so leased or worked as aforesaid.

Company not exempt from provisions of present or future general Railway Acts.

51. Nothing in this Act contained shall exempt the Company or their undertaking from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass during this or any future session of Parliament, or from any future revision or alteration, under the authority of Parliament, of the maximum rates of fares and charges, or of the rates for small parcels, authorised by any Act relating to the Company.

Expenses of Act.

52. The costs, charges, and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act shall be paid by the Company.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1879.