CHAPTER clv.

An Act for authorising the Great Eastern Railway Company to execute additional Works and to enter into various Agreements, and for conferring on them further Powers in relation to their Undertaking and Capital and the Undertakings of other Companies and parties; for amending their Acts in various particulars; and for other purposes. A.D. 1878.

[4th July 1878.]

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 a connecting railway between the Company's main line and Harwich Branch, in the parish of Lawford, in the county of Essex;

To widen and improve part of the Company's North Woolwich Branch, in the parish of West Ham, in the county of Essex, part of the Trowse Branch, in the parish of Lakenham, in the county of the city of Norwich, and part of the main line in the hamlet of Mile End Old Town, and the parish of Saint Matthew, Bethnal Green, in the county of Middlesex, and to abandon part of the Bethnal Green and Bow Improvement authorised by section seven, sub-section J., of the Great Eastern Railway Act, 1876 (in this Act called "the Act of 1876"); 39 & 40 Vict. c. lxviii.

To improve and extend the Lowestoft Harbour by further extending the north pier thereat to the public road along the shore, and excavating the area between the extended pier and the existing harbour;

To extend the time limited by the Great Eastern Railway Act, 1875 (in this Act called "the Act of 1875"), for the compulsory purchase of certain lands referred to in that Act, and 38 & 39 Vict. c. cxxxiv.

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situate in the several counties of Essex, Middlesex, Cambridge, Suffolk, Norfolk, and the county of the city of Norwich;

To purchase and take lands in various parishes in the counties of Norfolk, of the city of Norwich, Essex, Suffolk, and Middlesex, and to stop up or divert an occupation or marsh road near the Tottenham Station which is crossed on the level by the Company's main line:

21 & 22 Vict. c. xcvii.

And whereas by the Ware, Hadham, and Buntingford Railway Act, 1858 (sections forty-three and forty-four), the Ware, Hadham, and Buntingford Railway Company was required to purchase land for and to make and maintain a lay-bye and other works by the side of the River Lee within one year from the opening of the railway by that Act authorised for goods traffic, and the said railway has been for many years completed and opened for both passenger and goods traffic, and now forms part of the undertaking of the Company:

And whereas land was purchased for the said lay-bye and works, but the same have not been made and are not now required, and it is expedient that the Company should be released from any obligation to make the said lay-bye and works, and should be authorised to appropriate and hold the said land, or otherwise sell and dispose of the same:

40 & 41 Vict. c. ccxvi.

And whereas it is expedient that the Company should be authorised to enter into agreements with the Ipswich Dock Commissioners with respect to the construction, working, and maintenance by the Company of the tramways authorised by the Ipswich Dock Act, 1877, and to contribute money for those purposes; also to contribute towards certain works authorised to be made by the King's Lynn Dock Company, and to hold shares in the capital of that company; also to enter into agreements with the mayor, aldermen, and citizens of the city of Norwich (in this Act called "the Corporation of Norwich") with respect to the alteration and improvement of the Foundry Bridge, and to contribute money towards any such alteration or improvement:

And whereas the Company are authorised by existing Acts to subscribe towards the capital of the Tottenham and Hampstead Junction Railway Company (in this Act called "the Hampstead Company") to the extent of one hundred and thirty-six thousand six hundred and sixty-three pounds, and they have taken or agreed to take shares amounting in the aggregate to one hundred and sixty thousand and fifteen pounds, and it is expedient that the Company should be empowered to take and hold shares for the last-mentioned amount:

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And whereas it is expedient that the Company should be empowered to hold shares in the capital of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company (in this Act called "the Stour Valley Company"), which have been transferred to the Company on the final settlement of the accounts of the Eastern Union Railway Company:

And whereas under the powers of the Local Acts 7 Vict. cap. 20, and 25 and 26 Vict. cap. 233, the undertaking of the Northern and Eastern Railway Company is leased to the Company for a term of nine hundred and ninety-nine years, at an annual rent of sixty-one thousand seven hundred and sixteen pounds (being five pounds per centum upon a capital of nine hundred and ten thousand eight hundred pounds, and six pounds per centum upon a capital of two hundred and sixty-nine thousand six hundred pounds):

And whereas the said capital includes a sum of one thousand one hundred and fifty pounds which is represented by the scrip of twenty-three shares issued by the Northern and Eastern Railway Company under the powers of the Local Acts 6 and 7 William IV. cap. 103, and 6 Vict. cap. 28, upon which sums amounting in the aggregate to one hundred and ninety pounds were paid, but which scrip was not sent in for registration, and the calls made from time to time have not been paid nor the interest thereon, and the holders of such scrip are unknown, but the proportion of rent which would have been from time to time payable to the proprietors of such shares if they had been registered and fully paid up has been paid by the Company to the Northern and Eastern Railway Company, and carried by them to a separate account, which now amounts to the sum of two thousand and fifty pounds, or thereabouts, and it is expedient that the said sum of one thousand one hundred and fifty pounds should be deducted from the amount of capital upon which the said rent should in future be calculated, and that the said sum of two thousand and fifty pounds and any other dividends on such shares should be transferred and paid to the Company, and that the Company should indemnify and save harmless the Northern and Eastern Railway Company from any claim or demand in respect of such sums of money or scrip:

And whereas it is expedient that the Company should be authorised to establish a superannuation fund for their officers and servants, and an accident allowance fund, and that the provisions of the Great Eastern Railway (Additional Powers) Act, 1869 (in this Act called "the Act of 1869"), relating to the establishment of provident institutions and savings banks (section thirty-four) should be amended: 32 & 33 Vict. c. lxxxix.

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And whereas by the Act of 1876 provision is made (sections ninety-three and ninety-four) for the consolidation and conversion of the East Anglian stocks, and also of certain guaranteed and preference stocks in the capital of the Company, and under such provision schemes for the consolidation and conversion of the East Anglian stocks and of the guaranteed stocks have received the sanction of the shareholders, but the schemes for the rentcharge and contingent preference stocks have been delayed pending the redemption of certain of such stocks, and it is expedient that the time for making schemes for such last-mentioned stocks should be extended:

30 & 31 Vict. c. ccviii.

And whereas under the provisions of the Great Eastern Railway (Finance) Act, 1867, (in this Act called "the Finance Act, 1867,") the Company have created and issued redeemable debenture stock, called B debenture stock, to the amount of three million pounds, entitled to interest at the rate of five pounds ten shillings per centum per annum, whereof the ten shillings per centum per annum is set apart and applied for the redemption of the said stock, and by means of such application a sum of ninety-eight thousand one hundred and twenty-six pounds B debenture stock has been purchased and cancelled up to the first day of December one thousand eight hundred and seventy-seven:

And whereas the interest applicable to the redemption of the B debenture stock is by the resolution of the meeting which created the B debenture stock to be invested in the purchase of stock at the market price until such price exceed twenty per centum premium, and subsequently by drawing by lot, but no sufficient regulations are made for giving effect to those drawings, and it is expedient that such drawings should not take place until an adequate sum is accumulated for such purpose:

And whereas the Company have purchased or agreed to purchase certain lands near some of their stations and railways for the purpose of obtaining materials for the maintenance and improvement of their railways, and for other purposes of their undertaking, and it is expedient that the powers of the Company for purchasing lands for extraordinary purposes should be extended:

And whereas it is expedient that the Company should be authorised to raise further capital for the railway and works by this Act authorised, and for the other purposes of this Act, and for any other purposes of the undertaking:

37 & 38 Vict. c. cxxviii.

And whereas under the authority of section seventy-one of the Great Eastern Railway Act, 1874, the Company have created

stock called land security stock, charged on certain lands of the Company not required for the purposes of the Company, and the Company have accumulated a large sum of money for redeeming such stock by the sale of lands, but the lands on which such stock is charged form only a portion of the surplus lands of the Company, and it is expedient that the provisions of such section shall extend to the creation of further stock charged on the lands not comprised in the security for the existing land security stock:

And whereas plans and sections describing the lines, situations, and levels of the intended railway 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 of Essex, with the clerk of the peace for that county; with respect to any works and 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 Middlesex, with the clerk of the peace for that county; with respect to any works and lands in the county of Suffolk, with the clerk of the peace for that county; and with respect to any works and lands in the county of Norfolk, with the clerk of the peace for that county (which are respectively 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 (General Powers) Act, 1878.

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,)

The provisions of the Companies Clauses Consolidation Act, 1845, with respect to the several matters following; (that is to

8 & 9 Vict. c. 16.

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say,) the distribution of the capital of the Company into shares, the transfer or transmission of shares, the payment of subscriptions and the means of enforcing payment of calls, the forfeiture of shares for nonpayment of calls, the remedies of creditors of the Company against the shareholders, the borrowing of money by the Company on mortgage or bond, the conversion of the borrowed money into capital, the consolidation of the shares into stock, the making of dividends, the giving of notices, and the provision to be made for affording access to the special Act; and Parts I., II., and III. of the Companies Clauses Act, 1863, as amended by subsequent Acts, relating respectively to cancellation and surrender of shares, to additional capital, and to debenture stock;

26 & 27 Vict. c. 118.

8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.
32 & 33 Vict. c. 18.
10 & 11 Vict. c. 27.

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

The Harbours, Docks, and Piers Clauses Act, 1847, with the exception of sections sixteen to nineteen, both inclusive, of that Act, unless and until the Board of Trade shall otherwise require;

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;

and the provisions of Part I. of the Railways Clauses Act, 1863, relating to protection to navigation, shall extend to the improvement and extension of the Lowestoft Harbour (in this Act called "the Lowestoft Harbour extension") authorised by this Act.

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.

Interpretation of terms "parish clerks," &c. 8 & 9 Vict. c. 20.

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 according to deposited plans.

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 railway, improvements of railways, and Lowestoft Harbour extension described in this Act, with all proper stations, sidings, approaches, works, and conveniences in connexion therewith.

Power to take lands on deposited plans.

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 railway 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 railway.

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

(A.) A railway, in the parish of Lawford, in the county of Essex, two furlongs three chains and eleven yards in length, commencing by a junction with the Company's Ipswich main line near the Manningtree Station, and terminating by a junction with the Company's Harwich Branch.

Description of 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,)

(B.) Of the Company's North Woolwich Branch, in the parish of West Ham, in the county of Essex, from a point thirty chains or thereabouts north-west of Canning Town Station to a point seventeen chains or thereabouts west of the Tidal Basin Station, and including in such improvement the alteration of the site of the Canning Town Station:

(C.) Of the Company's main line, in the county of Middlesex, commencing at or near the bridge in the hamlet of Mile End Old Town which carries the main line over Devonshire Street, and terminating in the parish of Saint Matthew, Bethnal Green, about four chains westward of the bridge which carries the main line over the Grove Road:

(D.) Of part of the Company's Trowse Branch, in the parish of Lakenham, in the county of the city of Norwich.

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

(E.) An extension of the harbour of Lowestoft, by extending in a northerly direction the extension of the north pier of the said harbour authorised by the Great Eastern Railway Act, 1877, (in this Act called "the Act of 1877,") to the public road along the shore, and by excavating the area between the pier as so extended and the existing harbour:

40 & 41 Vict. c. lxxxiii.

(F.) The diversion of an occupation or marsh road, in the parish of Tottenham, in the county of Middlesex, which crosses the railway on the level at a point about four chains, measured in a southerly direction from the bridge which carries the road from Chingford to Tottenham over the Company's railway near the Tottenham Station, and from and after the completion of such diversion the extinction of any right of way over the railway at the present crossing.

Inclination of road.

9. In altering for the purposes of this Act the road next herein-after mentioned the Company may make the same of any inclination not steeper than the inclination herein-after mentioned in connexion therewith; (that is to say,)

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
11	West Ham - -	Public - -	1 in 17, towards Poplar and Stevenson Road.

Power to take easements, &c. by agreement. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106.

10. 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.

Company liable to penalty unless railway is opened within time limited.

11. If the Company fail within the period limited by this Act to complete the railway by this Act authorised, 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 railway is 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 that railway, and the said penalty may be applied for by any land-

owner 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 such line 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.

12. Every sum of money so recovered by way of penalty for the non-completion of the railway by this Act authorised 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 railway 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

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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.

13. If the railway 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 railway and works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed.

Tolls on railway.

14. The railway 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.

For protection of London and North-western Railway Company.

15. The Company shall, with respect to the improvement B., perform, observe, and be bound by the following stipulations and provisions; that is to say,

1. They shall not, without the consent of the London and North-western Railway Company (in the section referred to as the North-western Company) under their common seal, interfere with or acquire any greater part of the properties in the parish of West Ham numbered 3, 4, 5, 6, and 7 respectively on the deposited plans than shall be necessary for laying down and maintaining thereon two additional lines of rails in the position shown in red on the plan referred to in and annexed to a certain memorandum of agreement dated the seventh day of May one thousand eight hundred and seventy-seven, made between the North-western Company of the one part and the Company of the other part, and so that the boundary line of the respective properties of the Company and of the North-western Company shall be not more than three feet distant from and parallel with the most easterly rail of the said two additional lines of rails:
2. If the Company shall construct their works for effecting the said improvement before the North-western Company shall have filled up the said properties so numbered 3, 4, 5, 6, and 7 to the level of the existing railway, then the Company shall be at liberty to place on the said properties such an embankment to the east of the said boundary line as shall be necessary for effecting the said improvement, and to maintain the same until the North-western Company shall have so filled up the said properties as aforesaid, but

the Company is not thereby or otherwise, without such consent as aforesaid, to acquire any rights of ownership in or possession of any part of the said properties save the parts thereof respectively which the Company may acquire in accordance with the preceding provisions contained in sub-section 1 of this section, and the portion of the said lands whereon any such embankment shall be placed, in so far as the same shall be situated on the east side of such boundary line, may be filled up and utilised by the North-western Company:

3. The Company shall not, without the consent aforesaid, in the execution of the powers contained in or under the authority of this Act, do, omit, permit, or suffer any act, matter, or thing which shall take away, alter, or in any way lessen or prejudicially affect the rights, powers, privileges, or interests of the North-western Company under or by virtue of the said memorandum of agreement.

Victoria Dock Road not to be taken.

16. Notwithstanding anything in this Act contained, the Company shall not purchase, or take, or lay down any rail or rails upon or diminish the width of the road known as the Victoria Dock Road, and numbered twenty-six, in the parish of West Ham, in the deposited plans relating to the improvement of the North Woolwich Branch, or any part of such road.

Saving rights of the Regent's Canal Company.

17. Whereas the improvements of railways by this Act authorised comprises the improvement by the widening and the laying down thereon of an additional line or additional lines of rails of the Company's existing main line of railway, and such improvement (herein-after referred to as "the said main line improvement") is proposed to be effected in part by means of a new bridge over the Regent's Canal, or by means of a widening on the north and south sides thereof of the existing bridge which carries the existing main line of railway over the canal in the hamlet of Mile End Old Town, and parish of St. Matthew, Bethnal Green, in the county of Middlesex, and it is expedient to make provisions in respect thereof: Therefore, except only as by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the estates, rights, interests, powers, and privileges vested in the Company of Proprietors of the Regent's Canal (herein-after called "the Regent's Canal Company"), and the Company shall not, without (or otherwise than in accordance with) the previous consent of the Regent's Canal Company in writing under their common seal, alter the line or level of the said canal, or of the towing-path thereof, or of any part or parts thereof respectively,

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or obstruct or impede the navigation of the canal or any part thereof, or divert, intercept, cut off, take, use, or diminish any of the waters in the canal, or which may be taken for the use of or which supply the canal, or damage, injure, or interfere with any of the works of the canal, or diminish or alter the width of the waterway or towing-path thereof, or take or use (except for the limited purpose herein-after mentioned) any part of the canal, or of the towing-path, locks, lay-byes, wharfs, or works connected with the canal, or any land belonging to the Regent's Canal Company, or in which they may be interested; and the Company shall not, without such consent as aforesaid, except as herein-after provided, make any deviation from the line or level of the said main line improvement as delineated on the deposited plans and sections thereof, and nothing herein contained shall compel the Regent's Canal Company to convey or assign to the Company the fee simple or other interest in the land belonging to them, or in which they may be interested over which the said main line improvement and the works connected therewith are intended to pass, but the same shall remain vested in the Regent's Canal Company, subject nevertheless to the right of the Company and their successors for ever hereafter to construct and maintain the said main line improvement and works hereby authorised, and to have, use, and possess such way and passage for the said main line improvement and works by means of a new bridge or a widening of the existing bridge over the canal as hereby provided for, together with all rights and easements necessary to the due use and enjoyment of the same.

New bridge or widening of existing bridge over Regent's Canal and other works to be constructed by Company.

18. For the purpose of carrying the said main line improvement over the Regent's Canal the Company shall construct and make immediately contiguous to the said existing bridge a new bridge, or shall widen the existing bridge on the north and south sides thereof, such new bridge or widening of the existing bridge to be constructed and made of brick, stone, or iron, or of all or any of those materials, over the canal and towing-path, such new bridge or widening of the existing bridge to be constructed of a width not exceeding in any part thereof thirty feet, and so that no part of the soffit or underside thereof shall be less in height than the soffit or underside of the existing bridge, and the new bridge or widening of the existing bridge shall be so constructed as to span the whole of the canal, towing-path, and other property of the Regent's Canal Company without obstruction. The before-mentioned works shall be carried on and completed so and in such manner that no obstruction shall be caused to the boats or barges navigating the canal or the horses towing the same, and the Company shall during

the progress of constructing the said new bridge or of widening the existing bridge, and the works connected therewith, and of any necessary repairs thereof, at all times leave an open and uninterrupted navigable waterway in the canal of not less than forty feet in width of water, with eight feet for the towing-path and ten feet headway.

Company to construct and keep in repair the new bridge or widening of existing bridge and works.

19. The new bridge or widening of the existing bridge, and the works connected therewith, shall be made and for ever maintained by the Company in good, substantial, and water-tight condition and repair, and so far as relates to all precautions for the safety and preservation of the canal and the towing-path, the water in the canal, and the works connected therewith, and for preserving a free and uninterrupted passage along the canal and towing-path, the new bridge or widening of the existing bridge, and the works connected therewith, and all repairs to the new bridge or widening of the existing bridge, shall be constructed, made, and done in accordance with plans and specifications to be in every case before the commencement of the works or repairs submitted for his approval to and approved by the Regent's Canal Company's engineer, and the same works and repairs shall be commenced, carried on, and completed under his superintendence and to his satisfaction; and if and whenever during the progress of any of the works or repairs any damage or injury is occasioned to the canal or towing-path, or the works thereof, the Company shall, under the superintendence and to the satisfaction of the Regent's Canal Company's engineer, restore the same to the same state and condition as before the happening of the damage or injury; and if and whenever during or after the making or repairing of the new bridge or widening of the existing bridge, or any of the works connected therewith, by reason of the same, or of the making or repairing of the same, or by reason of any defect in the making or repairing of the same, or by reason of any failure or want of repair of the same or otherwise, any loss of water or any obstruction of the navigation of the canal shall occur, and notice thereof in writing is given by or on behalf of the Regent's Canal Company to the Company, or their secretary or other officer, and the Company do not within fourteen days after the notice, or forthwith, if the nature of the case so requires, well, sufficiently, and effectually prevent the loss of water, or remove the obstruction, or make or do for the purpose, under the superintendence and to the satisfaction of the Regent's Canal Company's engineer, all proper and sufficient works, repairs, and things, and complete the same with all reasonable expedition, the Regent's Canal Company from time to time may, under his superintendence and to his

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satisfaction, make or do the same, and prevent the loss of water or remove the obstruction, and the Company shall from time to time pay to the Regent's Canal Company all the costs and expenses incurred by them in that behalf, and to their engineer his charges for his superintendence.

New bridge or widening of existing bridge and works to be completed within twelve months.

20. The new bridge or widening of the existing bridge, and all the works connected therewith, shall be completed within twelve months after the day on which the same or any of them respectively are commenced, and if the same or any of them are not completed within that period the Company shall forfeit and pay to the Regent's Canal Company as and for liquidated damages twenty pounds for every day after the expiration of that period until the whole thereof are completed; and if and whenever during or after the making or repairing of the new bridge or widening of the existing bridge, and the works connected with the said main line improvement, or by reason of the same, or of the making or repairing of the same, or by reason of any defect in the making or repairing of the same, or by reason of any failure or want of repair of the same, or by reason of any act, neglect, or omission of the Company, or of their agents, servants, or workmen, the water of the canal shall leak, escape, or run to waste, the Company shall pay to the Regent's Canal Company ten pounds as and for liquidated damages for every reasonably estimated nine thousand cubic feet of water which so leaks, escapes, or runs to waste, and in the same proportion for any other quantity; and if and whenever by reason of any of those circumstances or causes the navigation of the canal or the passage along the towing-path thereof shall be so obstructed or interrupted as that boats or barges navigating the canal or the horses towing the same shall be impeded in their passage, or shall not be able to pass uninterruptedly along the canal or towing-path, then and in every such case the Company shall pay to the Regent's Canal Company ten pounds as and for liquidated damages for every hour during which the obstruction continues after notice thereof is given by or for the Regent's Canal Company to the Company or their secretary or other officer; and if and whenever any such obstruction continues for more than forty-eight consecutive hours after the notice, or is caused by any wilful act, neglect, or omission on the part of the Company, or any of their agents, servants, or workmen, the Company shall pay to the Regent's Canal Company twenty pounds as and for liquidated damages for every hour during which the obstruction continues.

Regent's Canal Company and

21. Nothing herein contained shall prevent the Regent's Canal Company, or any owner of boats or barges, or any other person

whomsoever using or navigating the canal, from recovering from the Company, in addition to the liquidated damages, the amount of any special damage sustained by them or him, or that they or he may be liable to pay for or on account or by reason of the acts, neglects, or defaults of the Company, or by reason of the flowing or escape of any water out of the canal, if the same shall be caused or happen by reason of any of these circumstances or causes, or of the making or maintaining of the said main line improvement, or of any of the works connected therewith, and the Regent's Canal Company and any or every such owner or other person may sue for and recover the special damage in any court of competent jurisdiction.

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others not precluded from recovering special damages.

22. At and within the time herein-before limited with respect to the construction and making of the new bridge or of the widening of the existing bridge over the Regent's Canal, and the works connected therewith, the Company shall construct and make along the western side of the Regent's Canal a dock or lay-bye, and the said dock or lay-bye shall commence at a point eighty yards southward of the south side of the existing bridge over the Regent's Canal, and shall be of a length of one hundred and sixty feet measured southwards from such point, and of a clear width of fifteen feet measured from the western side of the existing waterway of the canal, and of a depth of not less than six feet below the level of the top surface of the present weir of Mile End Lock; and the Company shall construct and make along the side and ends of the said dock or lay-bye retaining or waterway walls of brick or stone; and upon the completion of the said dock or lay-bye and walls to the reasonable satisfaction of the engineer of the Regent's Canal Company, the same shall be taken to and accepted by the Regent's Canal Company, who shall thenceforth be liable for the proper and efficient maintenance thereof; and the Company shall have the user of the said dock or lay-bye and walls jointly with the said Regent's Canal Company and their traders, the Company during any such user being subject to the rules and byelaws for the time being of the Regent's Canal Company; and the Regent's Canal Company, and their agents, servants, and workmen, shall have full power and authority at all reasonable times to enter upon, occupy, and use the land and premises of the Company adjoining the said dock or lay-bye for the purpose of executing all necessary repairs to the said dock or lay-bye, and the walls and puddle lining thereof, or for any other purpose connected with the use by the Regent's Canal Company and their traders of the said dock or lay-bye and walls; and all the provisions contained in the five last

Company to construct a dock or lay-bye on western side of the Regent's Canal.

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preceding sections for the protection of the Regent's Canal Company shall be held to apply, mutatis mutandis, to the construction and making of the said dock or lay-bye and walls, save that nothing herein contained shall render the Company liable for the cost of the maintenance of the said dock or lay-bye, or for any loss of water from the same, when and after the said dock or lay-bye is taken to and accepted by the Regent's Canal Company.

For protection of works of Havering, Dagenham, &c. Commissioners of Sewers.

23. Where any of the intended works to be done under or by virtue of this Act shall or may pass over, under, or by the side of or so as to interfere with any river, sewer, drain, watercourse, river-wall, defence, or work under the jurisdiction or control of the Commissioners of Sewers for the levels of Havering, Dagenham, Ripple, Barking, Eastham, Westham, Leyton, and Walthamstow, in the respective counties of Essex, Middlesex, and Kent (herein-after called "the Commissioners"), or may in any way affect the drainage of the districts under their control, the Company shall not commence such works until they shall have given to the said Commissioners fourteen days notice in writing of their intention to commence the same by leaving such notice at the office of the clerk of the said Commissioners, with plans, elevations, sections, and other necessary particulars of the construction of the said works, and until the said Commissioners shall have signified their approval of the same, unless the said Commissioners fail to signify such approval, or their disapproval, or other directions within fourteen days after service of the said notice and delivery of the said plans, elevations, sections, and other particulars as aforesaid, and the Company shall comply with and conform to all reasonable directions and regulations of the said Commissioners in the execution and subsequent maintenance of the said works, and shall provide by new, altered, or substituted works in such manner as the Commissioners may deem necessary for the proper protection of and for preventing injury or impediment to the rivers, sewers, drains, river-walls, and other works herein-before referred to by or by reason of the said intended works or any part thereof, and shall save harmless the said Commissioners against all and every the expense to be occasioned thereby, and all such works shall be done by or under the direction, superintendence, and control of the surveyor, engineer, or other officer or officers of the said Commissioners, as the case may be, at the costs, charges, and expenses in all respects of the Company, and all costs, charges, and expenses which the said Commissioners may be put to by reason of the works of the Company, whether in the execution of works, the preparation or examination of plans or designs, superintendence, or otherwise by the Commis-

sioners officers, shall be paid to the Commissioners by the Company on demand; and when any new, altered, or substituted work as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall ever thereafter be maintained by the Company to the reasonable satisfaction of the surveyor or engineer to the Commissioners for the time being, and the said works shall be as fully and completely under the direction, jurisdiction, and control of the said Commissioners as any sewers or works now are or hereafter may be, and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said Commissioners, or any or either of them, or of their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed: Provided that if any dispute shall arise as to the mode of executing any such works as aforesaid, such matter or difference shall be referred to an arbitrator to be appointed by the Board of Trade, whose decision shall be final.

Not to affect s. 17 of Act of 1876.

24. Nothing in this Act contained shall repeal, alter, or vary, or be construed to repeal, alter, or vary in any way the provisions contained in section 17 of the Act of 1876, or any of them.

As to crossing the City Road in Lakenham parish by the Trowse Branch.

25. Before widening the Trowse Branch, where the railway crosses the City Road, otherwise Long John's Hill, in the parish of Lakenham, on the level, and laying down an additional line of rails at such level crossing, the Company shall lower the road which crosses under the railway at or near the said level crossing so as to give a clear headway underneath the railway of fourteen feet, retaining the roadway at its present width, and shall make the inclinations of the road so that the same shall not be steeper than 1 in 20 on the north side and 1 in 22 on the south side of the railway, and shall provide for the efficient drainage of the road; and from and after the completion of the said alteration all public right of way over the said level crossing shall cease, and the road so lowered shall to the extent of the alteration thereof be kept in repair by the Company for one year from the completion of such alteration, and from the expiration of that year the same shall be repaired by the Corporation of Norwich.

Company may abandon portions of Bethnal Green and Bow Improvement. 39 & 40 Vict. c. lxviii.

26. The Company shall abandon the construction of so much of the Bethnal Green and Bow Improvement authorised by the Great Eastern Railway Act, 1876, and described in section seven, sub-section (J.), of that Act, as lies between a point in the hamlet of Mile End Old Town, in the county of Middlesex, at or near the

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bridge carrying the Company's main line over Devonshire Street and a point on the said main line in the parish of Saint Matthew, Bethnal Green, in the same county, distant four chains or thereabouts west of the bridge carrying the said main line over the Grove Road.

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

27. The abandonment by the Company under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the 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 improvement, 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, or the Great Eastern Railway Act, 1876.

8 & 9 Vict. c. 20. 39 & 40 Vict. c. lxviii.

Compensation to be made in respect of portions of railways abandoned.

28. 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 improvement or works 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.

8 & 9 Vict. c. 18.

Company may take lands for purposes of Act.

29. The lands which 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 railway improvements and other works by this Act authorised, are situate in the parishes or hamlets of Thorpe and Lakenham in the county of the city of Norwich, St. Andrew Greenstead, Colchester, in the county of Essex, Carlton-Colville and Kirkley in the county of

Suffolk, and Tottenham in the county of Middlesex, and the Company may construct works upon such land for the purposes of their undertaking.

Period for compulsory purchase of lands.

30. 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.

31. In addition to any lands which the Company 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, they may by agreement purchase any lands, not exceeding in the whole forty-five acres, in the parishes and places following; (that is to say,) in the county of Essex, near their Stratford Station and Stratford Bridge Station respectively in the parish of West Ham, and adjoining their railway in the parishes of Stanway and Hatfield Peverell respectively; in the county of the city of Norwich, near the Norwich Thorpe Station in the hamlet of Thorpe; in the county of Suffolk, near the Yarmouth South Town Station in the hamlet of South Town next Great Yarmouth; and the Company may hold any of such lands which may have been purchased by them before the passing of this Act as if they had been purchased after the passing of this Act, and may hold the same for the purposes of their undertaking as land purchased for extraordinary purposes under the provisions of the Lands Clauses Consolidation Act, 1845. 8 & 9 Vict. c. 18.

Extension of time for purchase of land for Lakenham Junction Railway.

32. The period limited by the Act of 1875 for the compulsory purchase and taking of lands shall, so far as relates to the Lakenham Junction Railway in the said parish of Lakenham, and so far as relates to the improvement of the railway from Colchester to Hythe in the parishes of Saint Michael Mile End, Saint James, Saint Andrew, Greenstead, in the county of Essex, respectively authorised by that Act, and also so far as relates to the additional lands referred to in section twenty-one of the same Act and situate in the parishes of Tottenham in the county of Middlesex, Romford in the county of Essex, Great Shelford and Whittlesford in the county of Cambridge, New Walsingham and Thetford Saint Peter in the county of Norfolk, and Beccles and Somerleyton in the county of Suffolk, and in the hamlets of Bures and South Town in the same county, be extended, and the said powers shall continue in force until the expiration of two years from the nineteenth day of July one thousand eight hundred and seventy-eight.

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Lowestoft Harbour extension to form part of existing harbour, &c.

33. The extension of the Lowestoft Harbour by this Act authorised shall, as regards tolls, rates, and duties, the powers and duties of the harbour-master, and in all other respects, form part of the existing harbour, and the Acts relating to the said existing harbour, so far as they are now in force, shall be applicable to and within the said extension, as if they had been specifically re-enacted and made applicable thereto by this Act.

As to land acquired for lay-bye, &c. under 21 & 22 Vict. c. xcvii.

34. Notwithstanding anything to the contrary contained in sections forty-three and forty-four of the Ware, Hadham, and Buntingford Railway Act, 1858, the Company shall not be bound to make the lay-bye or other works mentioned in those sections; but the Company may appropriate the land acquired for those purposes for the general purposes of their undertaking, or may sell or otherwise dispose of such lands, or any part thereof, as they may think fit.

Power to contribute to Ipswich Dock Tramways.

40 & 41 Vict. c. ccxvi.

35. The Company, with the authority of three fifths of the votes of their shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may contribute towards the expenses of the construction, maintenance, altering, doubling, and working of the tramways authorised by the Ipswich Dock Act, 1877, such sums of money as they from time to time think fit, not exceeding in the whole ten thousand pounds.

Power to enter into agreements with respect to Ipswich Dock Tramways.

40 & 41 Vict. c. ccxvi.

36. The Company on the one hand, and the Ipswich Dock Commissioners on the other hand, may from time to time enter into agreements with respect to the following purposes, or any of them; (that is to say,)

The construction, maintenance, and management by the Company of the tramways authorised by the Ipswich Dock Act, 1877, or any one or more of them, or any part thereof respectively, and of the works connected therewith respectively, or any of them;

The use or working of the said tramways or tramway, or any part thereof, and the conveyance of traffic thereon;

The fixing, collecting, and apportionment of the tolls, rates, charges, receipts, and revenues levied, taken, or arising in respect of traffic.

Power to contribute to Kings Lynn Dock works. 40 & 41 Vict. c. cxvi.

37. The Company, with such authority as aforesaid, may from time to time subscribe any sum which they think fit towards the construction of the works authorised by the Kings Lynn Dock Act, 1877, not exceeding in the whole twenty thousand pounds, and may take and hold shares in the Kings Lynn Dock

Company to the amount of the sums so subscribed, and the Company shall, in respect of the sums to be subscribed and the corresponding shares in the Kings Lynn Dock Company to be held by them, have all the powers, rights, and privileges (except in regard to voting at general meetings, which shall be as herein-after provided), and be subject to all the obligations and liabilities of proprietors of shares in the Kings Lynn Dock Company: Provided always, that the Company shall not sell, dispose of, or transfer any of the shares of the Kings Lynn Dock Company for which they may subscribe.

Company may hold shares in Stour Valley Company.

38. The Company may hold in their own name shares or stock in the capital of the Stour Valley Company for the sum of seven thousand pounds transferred to the Company by the Eastern Union Liquidation Committee, and now standing in the names of Charles Henry Parkes, Lord Claud John Hamilton, and Joseph Hadfield, as trustees for the Company, and shall in respect of the shares or stock to be so held by them have all the powers, rights, and privileges (except in regard to voting at general meetings, which shall be as herein-after provided), and be subject to all the obligations and liabilities of proprietors of shares or stock in the Stour Valley Company: Provided always, that the Company shall not sell, dispose of, or transfer any of the shares or stock held by them in the capital of the Stour Valley Company.

Votes of Company at meetings of Kings Lynn Dock Company and Stour Valley Company.

39. The Company, whilst shareholders of the Kings Lynn Dock Company, may by writing under their common seal from time to time appoint some person to attend any meeting of that company, and whilst proprietors of stock in the capital of the Stour Valley Company, may by writing under their common seal appoint some person to attend any meeting of the Stour Valley Company, and such person shall have all the privileges and powers attaching to a shareholder of the Kings Lynn Dock, or, as the case may be, a proprietor of stock in the capital of the Stour Valley Company, at such meetings, and may vote thereat in respect of the capital held by the Company.

Agreements as to Foundry Bridge at Norwich.

40. The Company, with such authority as aforesaid, may from time to time enter into agreements with the Corporation of Norwich with respect to the alteration and improvement, under the powers of the said Corporation, of the bridge over the River Wensum at Norwich known as the Foundry Bridge, and of the approaches thereto, and the Company may contribute money towards the expenses of any such alteration or improvement.

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As to Tottenham and Hampstead Junction Railway.

41. The Company may, in addition to any shares or stock which the Company under the authority of the existing Acts hold in the capital of the Tottenham and Hampstead Junction Railway, hold twenty-three thousand three hundred and fifty-two pounds, making with the sum of one hundred and thirty-six thousand six hundred and sixty-three pounds which they were authorised to hold under the said existing Acts the sum of one hundred and sixty thousand and fifteen pounds in the capital of such Company.

Northern and Eastern capital to be reduced, &c.

42. The capital of the Northern and Eastern Railway Company shall be reduced by the sum of one thousand one hundred and fifty pounds, the amount represented by the twenty-three scrip shares herein-before mentioned, and the rent payable by the Company to the Northern and Eastern Railway Company shall be also reduced accordingly, and the Northern and Eastern Railway Company shall pay and transfer to the Company the proportionate amount of rent from time to time heretofore paid by the Company to the Northern and Eastern Railway Company in respect thereof, inclusive of the said sum of two thousand and fifty pounds; and the Company shall indemnify and keep harmless the Northern and Eastern Railway Company from and with respect to all claims and demands, costs, charges, and expenses in respect of such scrip shares, or any of them.

Superannuation or provident fund.

43. The directors of the Company may, if they think fit, establish a fund for the payment of superannuation allowances, and allowances during sickness, and other allowances to the officers and servants of the Company, and (if so resolved on by the Company) for the widows and children of officers and servants of the Company, to be called the "Superannuation Fund;" and for the purposes of such fund three persons to be appointed by the directors of the Company, and the following officers of the Company, namely, the general manager, the secretary, and the accountant, shall constitute a committee for the purpose of preparing and shall prepare a scheme for the establishment of a fund for the payment of superannuation and other retiring allowances, and allowances during disability from sickness or accident, to the salaried officers and servants of the Company, being contributors to such fund, and (if so resolved on by the Company) allowances to the widows and children of such contributors, and such committee may by a majority of its members determine in and by such scheme the following matters and things; (that is to say,)

What class of officers and servants of the Company shall be entitled to contribute to and to participate in the benefits of the fund, and what length of service shall entitle them so to

participate, and to what extent such contribution shall be obligatory upon the officers and servants of the Company;

What (if anything) shall disqualify any officer or servant of the Company from becoming a contributor to the fund and participating in the benefits thereof;

Under what circumstances any person having been a contributor to the fund shall cease to be entitled to participate in the benefits thereof;

What proportion (if any) of his own and the Company's contribution to the fund any person having been but ceasing to be a contributor thereto shall be entitled to receive;

What proportion (if any) of the sums contributed by any person to the fund shall be payable to his representatives in the event of his dying before he becomes entitled to superannuation or retiring allowance;

The age at which or other circumstances under which any person shall become entitled to a superannuation or retiring allowance;

The scale upon which allowances shall be calculated, and under what (if any) circumstances such scale may from time to time be revised;

The percentage of their salaries which the officers and servants of the Company shall contribute to the fund, not exceeding the rate of two pounds and ten shillings for each one hundred pounds of their respective salaries;

The future management and direction of the fund, and the number, qualification, and mode of appointment or election of the committee, in this Act called "the managing committee," in whom such management and direction shall be vested, and the remuneration of the members and officers of the managing committee;

The mode in which, the persons by whom, and the times at which the accounts of the managing committee or of their treasurer or other officer shall be audited, and the manner in which contributors to the fund and others shall have access to the accounts;

That the moneys received on account of the fund shall from time to time be invested in the purchase of debentures or debenture or guaranteed stock of the Company in the names of the members of the managing committee, or any three of them;

That the persons to be benefited by the fund may be divided into two or more classes according to the amount of salary, or

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according to such other conditions as the managing committee shall determine, power being reserved by the scheme to remove any contributor from one class to another, provided that no such removal shall place the contributor in a worse position in respect to his past contributions than he would have occupied if the removal had not been made;

That the managing committee may from time to time, with the consent of the directors, modify the rules and regulations of the fund and the conditions upon which persons may after such modification contribute thereto;

And, generally, all such other matters and things in relation to the fund as the committee appointed by this Act shall deem fit and proper to form part of and to be included in such scheme.

Company to contribute to superannuation fund.

44. The Company shall at the end of each and every half year after the establishment of the superannuation fund contribute out of the revenues of the Company a sum equal in amount to the sum which during the same half year has been contributed thereto by the officers and servants of the Company, and such further sum as the Company and the committee from time to time agree upon, not exceeding one half of such specified contribution: Provided that the contribution of the Company to the superannuation fund shall not affect or take away the right or power of the Company to grant out of their own proper funds superannuation allowances, allowances during sickness, or other allowances to any of their officers or servants, but the Company may at any time within ten years from the passing of this Act, with the consent of the proprietors present at a meeting convened with notice of such object, empower the directors to grant to any of their officers or servants who may be forty years of age or upwards at the time of the establishment of the fund, and either in addition to or independent of any allowance which he may be entitled to receive from the fund, such superannuation or other allowance as they from time to time think fit.

Proceedings of committee.

45. The committee appointed by this Act in relation to the superannuation fund may from time to time regulate their own procedure, and may appoint such officers, and at such salaries, payable out of the said fund, as they may think fit.

Establishment of accident allowance fund.

46. A fund, to be called the Accident Allowance Fund, may be established for the payment of allowances on account of accidents happening to officers or servants of the Company in the discharge of their duty, and for this purpose three or more directors of the Com-

pany for the time being, and such other persons, being officers of the Company, as shall be nominated by the directors, shall constitute a committee for the purpose of preparing and shall prepare a scheme for the establishment of a fund for the payment of such allowances to the salaried officers or servants of the Company being contributors to that fund, or the widows or near relatives of such of them as shall have died from the effects of any such accident, and that committee may by a majority of its members determine in and by such scheme the following matters and things; (that is to say,)

What class of officers and servants of the Company shall be entitled to contribute to the fund, and to what extent such contribution shall be obligatory upon the officers and servants of the Company;

The terms and conditions upon which officers and servants of the Company shall be entitled to contribute to the fund and to participate in the benefits thereof, and the amount of such contribution;

What (if anything) shall disqualify any officer or servant of the Company from becoming a contributor to the fund and participating in the benefits thereof;

In what circumstances any person having been a contributor to the fund shall cease to be entitled to participate in the benefits thereof;

What proportion (if any) of his own and of the Company's contribution to the fund any person having been but ceasing to be a contributor shall be entitled to receive;

The future management and direction of the fund, and the number, qualification, and mode of appointment or election of the committee (in this Act called "the managing committee") in whom such management and direction shall be vested, and the remuneration of the members and officers of the managing committee;

The mode in which, the persons by whom, and the times at which the accounts of the managing committee or of their treasurer or other officer shall be audited, and the manner in which contributors to the fund and others shall have access to the accounts;

The scale of allowances to be paid to officers and servants of the Company meeting with accidents in the discharge of their duty, or to the widows or near relatives of such as shall have died in consequence of any such accident;

That the moneys received on account of the fund shall from time to time be invested in the purchase of debentures or debenture

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or guaranteed stock of the Company in the names of the members of the managing company, or any three of them;

That the managing committee may from time to time, with the consent of the directors, modify the rules and regulations of the fund, and the conditions upon which persons may after such modification contribute thereto;

And, generally, all such other matters in relation to the fund as the committee appointed by this Act shall deem fit and proper to form part of and to be included in such scheme.

Committee may regulate their own procedure.

47. The managing committee may from time to time regulate their own procedure, and may appoint such officers, and at such salaries, payable out of the fund, as they may think fit.

Company to contribute to accident fund.

48. The Company shall in each and every year after the establishment of the accident fund contribute thereto out of their revenues any amount they may think fit, not exceeding the total aggregate amount of the contributions of their officers and servants for the same year, or, if the Company at the time of establishing the accident fund so arrange, such annual sum as may ensure the payment of the allowances from time to time becoming due to the contributors.

Repealing section 34 of Act of 1869 as to savings banks.

49. Section thirty-four of the Act of 1869, authorising the Company to establish provident institutions and savings banks, is hereby repealed, except as regards the provident institution which has been established under such section, and as regards such provident institution such section shall remain in force and be applicable as if this Act had not been passed.

Power to establish savings banks, &c.

50. The Company may, if they think fit, establish savings banks, and with respect to any savings banks so to be established the following provisions shall apply:

(1.) The Company may establish a savings bank or savings banks, with or without branches, at such of the stations on their railways as they may think fit, and may thereat receive by way of deposit from any of their officers, clerks, servants, workmen, or apprentices (or from the officers, clerks, servants, workmen, or apprentices of any other company working or using the undertaking of the Company), and from the husbands, wives, children, fathers, mothers, brothers or sisters, nephews or nieces, or wards being minors of such officers, clerks, servants, workmen, or apprentices, any money at interest.

(2.) Every such deposit, with the interest thereon, shall be a charge on the net profits of the Company's undertaking

next after any debt of the Company then existing, and after moneys for the time being borrowed or authorised to be borrowed. A.D. 1878.

(3.) Two copies of the rules of any such savings bank, and of every amendment of the same from time to time (the term amendment to include a new rule and the cancelling of a rule), under the hands of three of the directors and of the secretary of the Company, shall be sent to the Registrar of Friendly Societies (as defined by the Friendly Societies Act, 1875). 38 & 39 Vict. c. 60

(4.) Such rules shall contain provisions—

(A.) For the management of the savings bank, and for the chief office of the same:

(B.) If thought fit, for the appointment and discharge of trustees:

(C.) For the payment in and withdrawal of deposits, the rate of interest thereon, and the payment of such interest:

(D.) For the keeping and auditing of accounts:

(E.) For the balancing of accounts once a year at least, and the sending on or before the first April in every year to the Registrar of Friendly Societies (or to the Commissioners for the Reduction of the National Debt) a general statement (to be called the annual return) of the receipts and expenditure, funds and effects of the savings bank as audited, made out to the thirty-first December then last inclusively, with a copy of the auditors report (if any):

(F.) For supplying every depositor, on demand, with a copy of the rules for the time being at a price not exceeding sixpence, and with a copy of the annual return gratuitously:

(G.) For keeping a copy of the last annual return, with the auditors report (if any), always hung up in a conspicuous place at the office of the savings bank:

(H.) For giving notice within fourteen days to the registrar of any change in the chief office, and of the appointment of any new trustees.

(5.) The registrar, on being satisfied that the rules or that any amendment of rules of a savings bank are or is in conformity with law and with the provisions of this section, shall issue to the Company an acknowledgment of registry

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of such savings bank or of such amendment of rules, which shall be conclusive evidence that such savings bank or such amendment of rules is duly registered.

(6.) The rules when so registered shall be binding on the Company and its officers and on the depositors and their executors, administrators, and nominees.

(7.) Deposits may, if the rules so allow, be received from or on account of married women, and section two of the Married Women's Property Act, 1870, shall apply to all such deposits.

33 & 34 Vict. c. 93.

(8.) Deposits may, if the rules so allow, be received from or on behalf of infants, and infants above the age of sixteen years may execute all instruments and give all acquittances necessary to be executed or given under the rules, but all instruments and acquittances relating to the deposits of infants under the age of sixteen shall be executed or made by their parents or guardians.

(9.) A depositor above the age of sixteen may by writing under his hand sent to the office of the savings bank nominate any person to whom his deposits, not exceeding fifty pounds, shall be paid at his decease, and may from time to time in like manner revoke or vary such nomination.

(10.) The deposits not exceeding fifty pounds of a person who dies intestate, and without having made any nomination under this Act which remains unrevoked at his death, may be paid without letters of administration to the person who appears to the trustees, or a majority of the trustees, upon such evidence as they may deem satisfactory, to be entitled by law to receive the same.

(11.) The deposits and other funds of the savings bank, or any part thereof, may from time to time be invested in the names of the directors, or any three of them, in any one or more of the following ways, namely, in the purchase of debentures or debenture or guaranteed stock of the Company, or in any of the ways provided by section 16 of the Friendly Societies Act, 1875.

38 & 39 Vict. c. 60.

(12.) Sections 9, 10, 44, 45, 46, 48, and 49 of the Act of the 26 and 27 Victoria, cap. 87, to consolidate and amend the laws relating to savings banks, as amended by the Savings Bank Barrister Act, 1876, shall apply to every savings bank herein mentioned, and the Company shall be deemed the trustees of the savings bank, and shall act by their directors or secretary.

39 & 40 Vict. c. 52.

A.D. 1878.

(13.) If the trustees or officers of a savings bank fail to give any notice, send any document or return, or to do anything which the savings bank is hereby required to do, or make a return or shall wilfully furnish information to the registrar in any respect false or insufficient, or otherwise act contrary to the provisions of this section, they shall be liable to a penalty not exceeding five pounds, recoverable at the suit of any person aggrieved, or of the chief or any assistant registrar of friendly societies, in a court of summary jurisdiction, and in manner directed by the Summary Jurisdiction Acts as defined respectively in the Friendly Societies Act, 1875.

38 & 39 Vict. c. 60.

(14.) Section thirty-nine of the Friendly Societies Act, 1875, shall apply to any instrument or document, copy or extract of an instrument or document, to be executed or issued by a registrar for the purposes of this section; a copy of the rules under the seal of the Company shall also be evidence of such rules.

(15.) The following fees shall be payable to the registrar for matters to be transacted under the provisions of this section, and shall be paid by such registrar into the receipt of Her Majesty's Exchequer:

For the acknowledgment of registry of a savings bank, and of every amendment of rules of the same, twenty-one shillings;

For the determination of a registrar in a dispute, twenty-one shillings;

And if more than one hearing or adjournment become necessary, then twenty-one shillings more for every hearing after the first and for every adjournment;

For every document required to be signed by a registrar or to bear the seal of the central office (as defined by the Friendly Societies Act, 1875), not chargeable with any other fee to the registrar, two shillings and sixpence;

38 & 39 Vict. c. 60.

For every inspection on the same day of documents (whether one or more) in the custody of the registrar relating to one and the same savings bank, one shilling;

For every copy or extract of any document in the custody of the registrar, not exceeding two hundred and sixteen words, one shilling;

And if exceeding that number, fourpence per folio of seventy-two words (in addition to the fee, if any, for the signature of a registrar or seal of the central office).

A.D. 1878.

Extending time for preparation of schemes for consolidation of stocks.

51. The time limited by the Act of 1876 for the preparation of a scheme or schemes for the consolidation of any rentcharge or contingent preference stocks of the Company shall be extended from the first day of May one thousand eight hundred and seventy-eight to the first day of May one thousand eight hundred and eighty, and for the preparation of a further scheme or schemes in the event of the failure from any cause wholly or in part of a previous scheme or schemes, shall be extended from the first day of November one thousand eight hundred and seventy-eight to the first day of November one thousand eight hundred and eighty.

As to redemption of B debenture stock.

52. If the directors are unable to purchase B debenture stock within the price prescribed by the resolution under which the stock was issued, they may allow the money applicable in each year to the redemption of B debenture stock to accumulate to any extent not exceeding fifty thousand pounds, and they may make such regulations for drawing by lot, and upon such scheme as to the amounts into which the stock shall be divided for the purpose of drawing or otherwise, and may close the transfer books for such period, as they think may be necessary to facilitate the drawings and prevent inconvenience to the holders of the stock.

Power to apply existing funds to purposes of the Act.

53. 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 purposes of their undertaking.

Power for Company to raise capital by shares or stock.

54. The Company from time to time, by resolution of a general meeting convened with special notice of the purpose, may raise by the creation of shares or stock, whether preference or ordinary, or partly preference and partly ordinary, such additional capital as they think fit, not exceeding in the whole for the railway and works by this Act authorised and the general purposes of the Company one hundred and seventy thousand pounds, and for contributions to the Ipswich Dock Tramways and the Kings Lynn Dock Company thirty thousand pounds, and the provisions contained in the seventy-eighth section of the Great Eastern Railway Act, 1876, shall be applicable with respect to any shares or stock which may be so created.

39 & 40 Vict. c. lxviii.

Shares or stock to form part of Company's general capital.

55. All shares or stock created by the Company under this Act shall, subject to the provisions of this Act, form part of the general capital of the Company.

Shares not to issue until one-fifth part paid up.

56. The Company shall not issue any share under this Act of less nominal value than ten pounds, nor shall any share vest in the person or corporation accepting it unless and until a sum not

being less than one fifth of the amount thereof is paid in respect thereof.

Calls.

57. Twenty per centum on the amount of any share shall be the largest amount of any call which may be made thereon, and there shall be an interval of not less than three months between any two successive calls, and the Company shall not call up more than three fourths of the amount of a share in any year.

Receipt for persons not sui juris.

58. If any money is payable to a shareholder in the Company being an infant or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power to borrow on mortgage.

59. The Company may, in respect of the additional capital of one hundred and seventy thousand pounds which they are by this Act authorised to raise by the creation and issue of shares or stock, from time to time borrow on mortgage as herein-after mentioned such sums as they think fit, not exceeding in the whole fifty-six thousand six hundred pounds; (that is to say,) when sixty thousand pounds of such additional capital is issued and accepted, and one half thereof is paid up and certified as herein-after mentioned, they may borrow on mortgage any sum of money not exceeding twenty thousand pounds, and a like additional sum of twenty thousand pounds when a further sum of sixty thousand pounds, making with the first-mentioned sixty thousand pounds the sum of one hundred and twenty thousand pounds, of such additional capital is issued and accepted, and one half thereof is paid up and certified as herein-after mentioned, and when the whole of such additional capital of one hundred and seventy thousand pounds is issued and accepted, and one half thereof is paid up and certified as herein-after mentioned, they may borrow the remaining sixteen thousand six hundred pounds of the said sum of fifty-six thousand six hundred pounds; but no such borrowing power shall be exercised by the Company until they shall prove to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act, 1845, before he so certifies, that shares for the whole amount of additional capital to be raised by shares in respect of which the borrowing power is to be exercised have been issued and accepted, and that one half of such capital has been paid up, and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up, and the Company have proved to such justice as aforesaid, before he so certifies, that such shares or stock, as

8 & 9 Vict. c. 16.

A.D. 1878.

the case may be, were accepted and paid up bonâ fide, and are held by the persons or corporations to whom the same were issued, or their executors, administrators, successors, or assigns, and also, so far as the said capital is raised by shares, that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proofs aforesaid have been given, which certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

60. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act, and subsisting at the passing hereof, shall, during their continuance and subject to the provisions of the Acts under which the same were respectively granted, have priority over any mortgages granted by virtue of this Act; but nothing in the section shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Repealing provisions of 40 & 41 Vict. c. lxxxiii. for appointment of a receiver.

61. The provisions of the Great Eastern Railway Act, 1877, authorising the appointment of a receiver for principal or interest moneys due upon any mortgages of the Company, are hereby repealed, but subject and without prejudice to any appointment of a receiver or proceedings taken under or by virtue of such appointment and in force or pending at the time of the passing of this Act.

As to appointment of a receiver.

62. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Debenture stock. 26 & 27 Vict. c. 118.

63. The Company may create and issue debenture stock, subject to the provisions of Part III. of the Companies Clauses Act, 1863; but, notwithstanding anything therein contained, the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Power to raise money by shares or

64. In addition to any capital in shares or stock which the Company are by this or any other Act authorised to raise, the

Company may from time to time, with the consent of three fourths of the votes of the shareholders present in person or by proxy at a general meeting convened with special notice of the purpose, raise by the creation of shares or stock such sum or sums of money as they think fit, not exceeding in the whole three fourth parts of the value of the surplus and reserved lands of the Company not comprised in the lands forming the security for the lands security stock already issued, and the provisions of the seventy-first section of the Great Eastern Railway Act, 1874, shall extend and apply to such new shares and stock.

stock on security of surplus and reserved lands.

37 & 38 Vict. c. cxxviii.

65. All money raised under this Act, whether by shares, stock, mortgage, or debenture stock, shall be applied for purposes authorised by this Act, or some other Act relating to the Company.

Application of share or loan capital under Act.

66. Provided also, that this Act, or anything herein contained, shall not in anywise take away, lessen, prejudice, alter, or otherwise affect any of the rights, interests, powers, authorities, privileges, remedies, claims, and demands whatsoever, whether at law or in equity, which, under or by virtue of the Act 17th and 18th Victoria, chapter 220, or otherwise, the Colchester, Stour Valley, Sudbury, and Halstead Railway Company is at the time of the passing of this Act entitled to, or may lawfully have, exercise, enjoy, or claim against or with respect to or in any way concerning the Company or the railways, works, or other property of the Company, or any part thereof, or the revenue or profits of the Company, or any part thereof, but all such rights, interests, powers, authorities, privileges, remedies, claims, and demands whatsoever of the Colchester, Stour Valley, Sudbury, and Halstead Railway Company shall be and remain of as full force and value, and have as full operation and effect, and may be had, exercised, enjoyed, and enforced in like manner to all intents and purposes whatsoever, both at law and in equity, and otherwise howsoever, as if this Act were not passed, anything in this Act contained to the contrary notwithstanding.

Saving rights of Colchester, Stour Valley, Sudbury, and Halstead Railway Company.

67. Nothing in this Act contained shall prejudice, affect, or alter the rights, powers, or remedies of the London and Blackwall Railway Company under the lease of that railway to the Company, or the Act authorising that lease.

Saving rights of London and Blackwall Railway Company.

68. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any land or hereditaments, or any rights of whatsoever description, belonging to the Queen's most Excellent Majesty in right of her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the consent

Saving rights of the Crown.

A.D. 1878.

in writing of the same Commissioners, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give), neither shall anything in the said Act contained extend to take away, prejudice, diminish, or alter any of the estates, rights, privileges, powers, or authorities vested in or enjoyed or exercisable by the Queen's Majesty, her heirs or successors.

Interest not to be paid on calls paid up.

69. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend to any shareholder on the amount of the calls made in respect of the shares held by him; but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act, 1845.

8 & 9 Vict. c. 16.

Deposit for future Bills not to be paid out of capital.

70. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other railway, or to execute any other work or undertaking.

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

71. 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.

72. 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.

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