CHAPTER xxvi.

An Act for conferring further powers upon the Great Eastern Railway Company for extending the periods limited for the completion of certain works and the compulsory purchase of certain lands and for other purposes. [30th May 1895.] A.D. 1895.

WHEREAS it is expedient that the Great Eastern Railway Company (in this Act called "the Company") should be authorised—

To construct the railway (with a wharf or quay) herein-after mentioned in the Isle of Ely in the county of Cambridge and to dredge scour and deepen the bed and shore of the River Nene (old course);

To stop up certain level crossings over their Colchester main line and their East Suffolk lines and in lieu thereof to maintain certain footbridges already constructed over the said lines and to construct a footbridge over their Colchester main line;

To purchase the additional lands herein-after in that behalf mentioned:

And whereas the Company have acquired by agreement for the purposes of their undertaking certain lands herein-after described and it is expedient that the purchase of such lands be confirmed:

And whereas it is expedient that the period limited by the Great Eastern Railway (General Powers) Act 1890 (in this Act called "the Act of 1890") for the completion of the railway authorised by section 5 sub-section (A) and the widening and improvement of railways authorised by section 5 sub-sections (G) (H) (I) (J) and (L) of that Act and that the period limited by the Geart Eastern Railway (General Powers) Act 1893 (in this Act called "the Act of 1893") for the compulsory purchase of the

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lands herein-after in that behalf mentioned authorised by section 31 of the Act of 1893 be respectively extended:

And whereas it is expedient that such further provision be made as is herein-after in that behalf contained with reference to the Pension Supplemental Fund which the Company were authorised by the Act of 1893 to establish:

And whereas plans and sections describing the lines situations and levels of the works by this Act authorised and plans of the lands which are subject to the compulsory powers of purchase conferred by this Act and of the lands the acquisition of which by the Company is confirmed by this Act and books of reference to such plans respectively containing the names of the owners or reputed owners and the lessees or reputed lessees and of the occupiers of such lands were duly deposited with the respective clerks of the peace for the Isle of Ely in the county of Cambridge and for the counties of Cambridge Middlesex Essex Suffolk and Norfolk and are herein-after respectively 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 1895.

Incorporation of general enactments.

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

The Lands Clauses Acts 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 to extension of time.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partially incorporated herewith

shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Power to execute works shown on plans and sections.

4. Subject to the provisions of this Act the Company from time to time may make execute and maintain in the lines and within the limits of lateral deviation shown on the deposited plans and according to the levels shown on the deposited sections the works described in this section with all proper stations sidings approaches works and conveniences connected therewith and may enter on take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes.

The works herein-before referred to and authorised by this Act are the following (that is to say) :—

A railway 4 miles 3 furlongs and 2·70 chains or thereabouts in length wholly in the Isle of Ely in the county of Cambridge commencing in the parish of Whittlesey Saint Mary and Whittlesey Saint Andrew at a point near the Company's Three Horse Shoes Goods Station and terminating in the parish of Benwick together with a wharf or quay ("the Nene Quay") in the said parish of Benwick on the north-west bank of the River Nene (old course) commencing at or near the point of termination of the said railway as above described and extending thence north-eastwardly for about 10 chains :

Provided always that the Company shall not carry passengers upon the said railway.

Power to cross certain road on the level.

5. 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 railway by this Act authorised carry the same with a single line only whilst the said railway shall consist of a single line and afterwards with a double line only across and on the level of the public road numbered on the deposited plans 42 in the parish of Whittlesey Saint Mary and Whittlesey Saint Andrew.

Inclination of road.

6. In altering for the purposes of this Act the public road numbered on the deposited plans 42 in the parish of Whittlesey Saint Mary and Whittlesey Saint Andrew the Company may make the same of any inclination not steeper than one foot in twenty feet.

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Limits of deviation for wharf or quay.

7. In constructing the wharf or quay by this Act authorised the Company may deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans but so that no part of such work shall extend beyond such limits and they may deviate vertically from the levels of the said wharf or quay as shown on the deposited sections to any extent not exceeding five feet upwards and ten feet downwards.

Power to dredge bed and shore of River Nene.

8. The Company may from time to time dredge scour and deepen so much of the bed and shore of the River Nene (old course) opposite to or near the wharf or quay by this Act authorised as the Company deem it necessary or expedient to dredge scour or deepen in order to secure access for vessels to the said wharf or quay.

For the protection of the Fourth District Drainage Commissioners.

9. In constructing the railway by this Act authorised the Company shall make and for ever thereafter maintain a culvert of a size and description not less than the present culvert passing over the drain under the jurisdiction of the Commissioners of the Fourth or Turves District of Drainage in Whittlesey and numbered 8 on the deposited plans in the parish of Whittlesey so as not to obstruct or in anywise interfere with the proper flow of the water in the said drain.

For the protection of the Havering and Dagenham Commissioners of Sewers.

10. If the Company shall in the execution of any of the works authorised by this Act intercept or interfere with the sewer or drain No. 2 on the deposited plans in the parish of Leyton under the jurisdiction of the Commissioners of Sewers for the Levels of Havering and Dagenham Ripple Barking East Ham Leyton and Walthamstow in the respective counties of Essex Middlesex and Kent (herein-after called "the Commissioners") the Company shall before intercepting or interfering with such sewer or drain construct a culvert for carrying the water of the said sewer or drain in a position to be agreed upon between the engineer for the time being of the Commissioners and the engineer for the time being of the Company such culvert to be of the same size and area as the existing sewer or drain passing under the Company's railway and the Commissioners shall have the same jurisdiction over the culvert so constructed as they now have over the existing sewer or drain Provided that in case of any difference the matter shall be referred to an arbitrator to be appointed on the application of either party by the Institute of Civil Engineers whose decision shall be final.

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For the protection of the Middle Level Drainage Commissioners.

11. For the benefit and protection of the Middle Level Drainage Commissioners (in this section called "the Commissioners") the following provisions shall have effect (that is to say):—

(A) If and when the Company desire to exercise the powers conferred by this Act with regard to the construction of the Nene Quay they shall give notice in writing under their common seal to the Commissioners stating what (if any) portion of the bank of the River Nene (old course) they require to take and use for the construction of the said quay and the Commissioners shall thereupon convey to the Company subject as herein-after provided all their estate and interest (if any) in the said portion so required by the Company:

(B) The Commissioners shall also grant to the Company subject as hereafter provided an easement or right of using such adjacent portions of the bank and bed of the said river so far as they are vested in the Commissioners as the Company may from time to time require to use temporarily in the construction and maintenance of the said quay:

(C) From and after the date of the conveyance to be made by the Commissioners as aforesaid the Company shall in each and every year pay to the Commissioners the sum of twenty-five pounds which said sum shall be in full payment for the purchase of such estate and interest and easement or right as are to be conveyed by the Commissioners to the Company as aforesaid and shall also be in full compensation and satisfaction for all damage which may be done to any other property of the Commissioners by reason of the severing of the said premises from such other property or by otherwise injuriously affecting such other property by the execution of the said works of the Company and also in full satisfaction (save only as is provided in sub-section (F) herein-after contained) for all damage which the Commissioners may sustain by reason of the construction of the said quay and the taking or interfering with the bed and bank of the river and otherwise in connection with the construction and maintenance of the said quay and by reason of the abstraction or diversion of traffic from the River Nene and the diminution of tolls receivable by the Commissioners in respect of the use of the river or of any works therein which may result from the user of the said quay by the Company or by the public:

(D) It shall be lawful for the Company to make such deepening (if any) of the bed of the River Nene (old course) opposite or adjacent to the wharf or quay by this Act authorised as may

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be necessary in order to provide proper access to the said wharf and quay provided that no works affecting the bed or bank of the said river under the powers of this Act shall be commenced until after plans and sections thereof shall have been submitted to and approved by the Commissioners and every such work shall be carried out in all respects under the supervision and subject to the approval of the engineer of the Commissioners or other person appointed by them for that purpose Provided further that if the Commissioners shall within twenty-one days after the said plans and sections shall have been submitted to them either fail to approve the same or signify their disapproval thereof there shall be deemed to be a difference between the Commissioners and the Company as to the mode of executing the works and such difference shall be referred to arbitration in manner herein-after provided:

(E) No works shall be executed under this Act nor shall the Commissioners be required under the provisions of this section to convey any portion of the bank of the river to the Company in such a manner as to narrow obstruct or in any way interfere with the waterway of the said river except such temporary interference as is provided for in sub-section (B):

(F) Nothing in this Act shall (except as herein expressly provided) be deemed in any way to prejudice or affect any of the rights powers and privileges of the Commissioners and if any damage be done to the structure of any property real or personal in the execution of the works of the Company or by reason of any acts or defaults of the Company their servants or agents the Company shall indemnify the Commissioners against any expense or liability which they may incur with reference thereto:

(G) If any difference shall arise between the Commissioners and the Company respecting any matter or thing in or arising out of any of the preceding sub-sections hereof such matter or thing shall be decided by an arbitrator to be appointed by the Board of Trade on the application of either party and the costs of any arbitration shall be borne as the arbitrator may direct.

Penalty imposed unless railway opened within the time limited.

12. If the Company fail within the period limited by this Act to complete the railway by this Act authorised the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the said railway is completed and opened for public traffic or until the sum received in respect of

such penalty amounts to five per centum on the estimated cost of the works and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 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 of the Paymaster-General for and on behalf of the supreme court 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 said 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.

Application of penalty.

13. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway by this Act authorised 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 has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has 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 if a receiver has been appointed or the Company is insolvent or the said railway or any part thereof has been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the Company.

Period for completion of works.

14. If the works herein-before described and authorised by this Act are not completed within five years from the passing of this

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Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Tolls on railway.

15. The railway by this Act authorised shall subject to the provisions of this Act be in respect of tolls rates and charges and in all other respects part of the undertaking of the Company.

Stopping up of footpaths and provision as to foot-bridges.

16.—(1) The Company may stop up and discontinue for foot traffic so much as lies between the fences of the Company's railways of—

(A) The Alders Brook Lane now crossing on the level the Company's Colchester main line in the parish of Little Ilford in the county of Essex about half a mile south-westward from the Company's Ilford Station Provided that nothing in this Act shall authorise the Company to stop up and discontinue the said lane for any vehicular traffic now lawfully entitled to use the same; and

(B) The footpath now crossing on the level the Company's East Suffolk line in the parish of Woodbridge in the county of Suffolk at or near the north-eastern end of the Company's Woodbridge Station:

And the Company may and shall maintain the footbridges already constructed by them and opened to the public at or near the sites of the existing level crossings herein-before mentioned in this section: and

(2) The Company may stop up and discontinue so much as lies between the fences (as now existing or as they may exist after the completion of the footbridge to be erected as herein provided for carrying the said footway over the railway) of the Company's Colchester main line of the footway now crossing over that line on the level in the parish of Ilford in the county of Essex about half a mile westward from the Company's Chadwell Heath Station but shall previously to stopping up or discontinuing such portion of footway carry the footway of which it forms part over the railway by means of a footbridge and shall thereafter maintain the said footbridge.

Extinguishing rights of way.

17. All public or private rights of way or other rights (if any) over or affecting any road footpath or way or any portion thereof authorised to be diverted or stopped up under the powers of this Act or over any railway of the Company at the point or points at which it is now crossed by any such road footpath or way or portion thereof so proposed to be diverted or stopped up are by this

Act extinguished as from the time of each such diversion or stopping up respectively. A.D. 1895.

Compensation to be made in respect of private rights extinguished.

18. The Company shall make full compensation to all parties interested in respect of all private rights of way or other private rights (if any) which by this Act are extinguished or interfered with and such compensation shall be settled in manner provided by the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement and for that purpose any and every right so extinguished or interfered with shall be deemed to be an interest in land.

Roads footpaths &c. not to be stopped up until substitution completed.

19. The Company shall not stop up and discontinue for public traffic any road footpath or way or portion of road footpath or way which they are by this Act authorised or sanctioned to stop up and discontinue until the work (if any) by this Act authorised or required to be made in substitution therefor has been completed to the satisfaction of two justices and opened to the public.

Vesting sites of roads footpaths &c. stopped up.

20. The sites and soil of so much as under the powers of this Act the Company shall stop up and discontinue for public traffic of any road footpath or way are by this Act vested (as to so much thereof as is bounded on both sides by land of the Company) in the Company and (as to so much thereof as is bounded on both sides by land of any other person) in such other person and (as to so much thereof as is bounded on opposite sides by lands belonging to different persons) in such owners respectively to the centre of the respective roads footpaths or ways in proportion to the respective frontages of their lands thereto The provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near the railway shall apply to the lands so vested in the Company as if such lands had been purchased by the Company but the mines had not been expressly purchased.

Power to Company to take additional lands.

21. The Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon and take by compulsion or agreement and may appropriate and use for the purposes of extending their stations sidings warehouses coal wharves depôts and other accommodation for minerals goods and cattle traffic and for any other purposes connected with their undertaking all or any of the lands houses and buildings following delineated on the deposited plans and described in the deposited books of reference (that is to say) :—

In the county of Middlesex—

Lands in the parish of Enfield lying on both sides of the Company's Enfield branch at or near Enfield Station :

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Provided always that the Company shall not enter upon take or use the lands respectively numbered on the deposited plans and in the deposited books of reference 4 5 and 9 in the said parish of Enfield or any or either of them or any part or parts thereof respectively without the consent in the case of the said properties numbered 4 and 5 of the Urban District Council of Enfield under their common seal and in the case of the said property numbered 9 of Truman Hanbury Buxton and Company Limited under their common seal:

In the county of Essex—

Lands in the parish of Saint Mary Walthamstow lying on both sides of the Company's Walthamstow branch at or near the Company's Wood Street Station and goods yard;

Lands in the parish of Brightlingsea lying on the south-east side of the Company's Brightlingsea Station;

Lands in the parish of Saint Nicholas Harwich adjoining and on the west side of Stour Street near Dovercourt Station between points opposite Pepys Street and Ingestre Street respectively:

In the county of Suffolk—

Lands and premises known as "the Bungalow" in the parish of Lowestoft lying on the south side of Denmark Road:

In the county of Cambridge—

Lands in the parish of Saint Andrew-the-Less otherwise Barnwell lying on the east side of the Company's Cambridge main line immediately to the southward of Hills Road Cambridge:

Isle of Ely in the county of Cambridge—

Lands in the parishes of Ely Trinity and Ely Saint Mary lying on the south side of the Company's Cambridge and Norwich main line and forming parts of the fields numbered 287 288 and 319 on the $\frac{1}{2500}$ ordnance map of those parishes.

For the protection of the New River Company.

22. With reference to the additional lands to be taken by the Company on both sides of the Company's Enfield branch at or near Enfield Station the following provisions shall apply for the protection of the New River Company:—

(1) The Company shall acquire the right of user of the surface only of the lands in the parish of Enfield belonging to the New River Company and numbered 1 and 6 on the deposited plans so far as such lands are or may be over the mains and pipes of the New River Company either now or hereafter to be laid subject to the right of the New River Company to lay down and maintain mains or pipes thereunder and before laying down

any rails sidings or other works upon such portion or portions of the said lands the Company shall construct and for ever after maintain over the large water mains of the New River Company now lying under parts of the said lands a girder bridge or girder bridges so as to leave the said mains free from the pressure of any weights or superstructure and the vibration of any engines or trains and also four inspection shafts of adequate size and in convenient positions so as to enable the New River Company to have access to such mains at any time thereafter for the purposes of alteration or repair and if at any future time the New River Company shall desire to lay down any additional mains or pipes through the said lands numbered 1 and 6 as aforesaid they shall be at liberty so to do and the Company shall construct at their own expense such further girder bridges over such additional mains and pipes so far as the same may pass under the said lands as will in like manner protect such new mains or pipes from pressure and vibration and shall afford to the New River Company all reasonable facilities for executing such works:

(2) The Company shall sixteen days before commencing any works on the said lands over the mains or pipes of the New River Company now or hereafter to be laid submit plans to the New River Company and the plans shall be in such form as shall be approved by the engineer for the time being of the New River Company and the works shall be carried out to his reasonable satisfaction and in case of any difference as to plans or execution the same shall be settled by an engineer to be appointed by the President of the Institution of Civil Engineers for the time being on the application of either party:

(3) In the event of any slip or rupture in the pipe or pipes of the New River Company by reason of the works or default of the Company whether the same shall happen during the construction of the railway or such works as the Company may construct on the said lands or after the railway or such works as aforesaid shall have been completed and opened for traffic or in the event of any loss to the New River Company from any interruption of their supply of water through any act or acts or default of the Company their agents or contractors the Company shall be answerable and shall pay to the New River Company all damages arising therefrom and be liable at all times thereafter to make good at their own expense whatever injury may be done or caused to the said pipes and any question which may arise as to any such expense or damages

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shall at the request of either party be referred to a civil engineer to be appointed as aforesaid and the award of such engineer shall be final and conclusive:

(4) If any interruption whatever in the supply of water by the New River Company shall be in any way occasioned by the Company or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the New River Company for the use and benefit of the said Company the sum of ten pounds for every hour during which such interruption shall continue such sum to be recoverable by the New River Company in any court of competent jurisdiction.

Purchase of certain lands confirmed.

23. The purchase by the Company of the lands herein-after mentioned delineated on the deposited plans and described in the deposited books of reference is hereby confirmed and the Company may hold and use the same for any purposes of their undertaking (that is to say):—

In the county of Essex—

Lands in the parish of Leyton on the south-western side of the Company's line from Lea Bridge to Stratford and lying between Quartermile Lane and Waterworks river and the Company's sidings;

Lands in the parish of Ilford adjoining and on the north side of the Romford or Roman Road and opposite the Company's Chadwell Heath carriage sidings and yard;

Lands and buildings in the parish of Ilford aforesaid lying between Ley Street and the Company's Colchester main line:

In the county of Suffolk—

Lands works and buildings in the parish of Lowestoft abutting on Commercial Road Lowestoft opposite points respectively $3\frac{1}{2}$ chains west and 5 chains east from the northern corner of the Company's dry dock;

Lands in the parish of Bacton adjoining and to the south of Clay Lane and near the Company's Finningham Station;

Lands in the parish of Walton adjoining and on the east side of the Company's Felixstowe branch north of the Company's Felixstowe Station:

In the county of Norfolk—

Lands in the parish of Stow Bedon adjoining and on the east side of the Company's Swaffham branch at Stow Bedon Station;

Lands in the hamlet of Thorpe in the city of Norwich on the south-west side of the Company's engine works and yard at their Norwich (Thorpe) Station;

Lands in the parish of North Repps adjoining and on the west side of the Company's Cromer branch about a quarter of a mile south of their Cromer Station:

Isle of Ely in the county of Cambridge—

Lands in the parish of Whittlesey Saint Mary and Whittlesey Saint Andrew on the north side of the Company's March and Peterborough branch about a quarter of a mile east of Whittlesey Station.

The expenditure of money by the Company in or in connection with the purchase of the said lands or any of them is hereby sanctioned and confirmed.

Power to take easements by agreement.

24. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which other than parties to the agreement have an interest) 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.

Lands for extraordinary purposes.

25. The Company may by agreement from time to time purchase additional land for any of the extraordinary purposes specified in the Railways Clauses Consolidation Act 1845 connected with their general undertaking not exceeding in quantity ten acres but nothing in that Act or in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any land taken under the powers of this section.

Period for compulsory purchase of lands.

26. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Restrictions on displacing persons of labouring class.

27. The provisions of section 44 of the Act of 1893 ("Restrictions on displacing persons of labouring class") shall extend to and apply in the case of lands to be purchased and acquired under the powers of this Act or under the powers of any former Act extended by this Act as if those provisions were expressly re-enacted in this Act.

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Extending period for completion of certain works authorised by Act of 1890.

28. The period limited by the Act of 1890 for the completion of the railway authorised by section 5 sub-section (A) and the widening and improvement of railways authorised by section 5 sub-sections (G) (H) (I) (J) and (L) of that Act is hereby extended for a period of three years from the twenty-fifth day of July one thousand eight hundred and ninety-five.

Extending time for compulsory purchase of certain lands under Act of 1893.

29. The powers granted to the Company by the Act of 1893 for the compulsory purchase of the following lands authorised by section 31 of the Act of 1893 namely :—

"Lands and buildings in the parish of West Ham lying between Leyton Road on the east and Dorset Place and lands and houses lying between Dorset Place and the Company's carriage works at Stratford on the north and on the west and south by the Company's locomotive works there;"

are hereby extended and may be exercised at any time within but shall not be exercised after the expiration of two years from the ninth day of June one thousand eight hundred and ninety-six.

Further provision as to Pension Supplemental Fund.

30. Notwithstanding anything in the Act of 1893 contained with regard to the establishment management or administration of the fund therein called "The Pension Supplemental Fund" the directors of the Company may if they think fit establish the Pension Supplemental Fund in such manner as to provide for the payment of pensions of such classes (ranging from thirty pounds to fifty-two pounds per annum) to such servants as well as classes of servants of the Company on the wages list as the directors may from time to time think fit according to such scheme and on such terms and conditions in every respect as the managing committee of the pension fund with the consent of the directors shall upon the establishment of such pension supplemental fund formulate and prescribe with regard thereto And everything which may have been done by the directors before the passing of this Act with the object of establishing a pension supplemental fund under the said Act of 1893 for the payment of pensions ranging from thirty pounds to fifty-two pounds per annum to any particular servants or class of servants of the Company on the wages list desirous of securing higher pensions than those obtainable under the existing pension fund scheme is hereby ratified and confirmed Section 62 of the Act of 1893 shall be deemed to apply to this section.

Power to apply existing funds.

31. The Company may raise and apply for or towards any of the purposes of this Act or of any of their existing Acts to which capital is properly applicable any money which they are already

authorised to raise and which may not be required by them for the special purposes (if any) for which that money was authorised to be raised Provided always that when by any existing Act relating to the Company the amount which the Company may raise and apply for any specified purpose is limited nothing in this section shall authorise the Company to raise or apply for such purpose any sum beyond the amount so limited. A.D. 1895.

As to transmission of telegraphic messages.

32. Nothing in this Act shall be deemed to impose upon the Postmaster-General the obligation of transmitting under the provisions of the Telegraph Act 1868 or any agreement between the Postmaster-General and the Company made in pursuance thereof any larger number of telegraphic messages of the Company free of charge than he would have been bound to transmit had this Act not become law.

Provision as to general Railway Acts.

33. Nothing in this Act contained shall exempt the Company or their undertaking from the provisions of any general Act relating to railways or to the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during 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 or charges or the rates for small parcels authorised by any Act relating to the Company.

Expenses of Act.

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

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