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VICTORIÆ REGINÆ.

Cap. cclv.

An Act to authorize the *Great Eastern Railway Company* to make certain Railways, and to purchase certain Lands and Buildings for Station Purposes, and to alter the Levels of their *Ramsey Branch*, and Part of one of their Metropolitan Branches between *Hanger Lane* and *West Green Road*; and for other Purposes.

[23d July 1866.]

WHEREAS a Railway from the *Hertford Branch* of the *Great Eastern Railway* in the Parish of *Saint John, Hertford*, to or near to the *Bull Plain* in the Parish of *All Saints, Hertford*, also a Railway in the Parish of *Enfield* in the County of *Middlesex*, from the *Enfield Branch* of the *Great Eastern Railway* to or near to the Turnpike Road leading from *Enfield* to *London*, would be of public Advantage, and the Company are willing to make such Railways, if authorized by Parliament so to do: And whereas it is expedient that the Company should be authorized to alter the Levels of all or certain Portions of the Railway from *Somersham* to *Ramsey* authorized by "The *Great Eastern Railway (Ramsey Branch) Act, 1865*," and of the Railway authorized by "The *Great Eastern Railway (Metropolitan Station and Branches) Act, 1864*," and therein called Railway No. 3, and to carry their *Melford and*

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Clare Line across and on the Level with a certain Road in the Parish of *Cavendish* in the County of *Suffolk* leading from *Cavendish* to *Belchamp*, and to purchase certain Lands and Buildings for Stations and other Purposes in the Parishes of *Saint John, Hertford*, and *All Saints, Hertford*, in the County of *Hertford*, *Enfield, Saint Matthew, Bethnal Green*, and *Saint John at Hackney*, in the County of *Middlesex*, and *Saint Botolph, Bishopsgate*, in the City of *London*: And whereas Plans and Sections of the proposed Railways and Works showing the Line and Levels thereof respectively, and the Lands required for the several Purposes herein-before mentioned, and Books of Reference to the said Plans, and amended Sections showing the proposed Alterations in Levels, have been deposited with the Clerks of the Peace for the Counties of *Hertford, Middlesex, Huntingdon*, and the County of the City of *London* respectively, or of the one or more of them in which the said Railways and Works or Lands are respectively situate: 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 of the Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Short Title. 1. This Act may be cited for all Purposes as "*The Great Eastern Railway (Additional Powers) Act, 1866.*"

8 & 9 Vict. cc. 18. & 20.,
23 & 24 Vict. c. 106., and
26 & 27 Vict. cc. 92. & 118.
incorporated.

2. "*The Lands Clauses Consolidation Act, 1845,*" "*The Lands Clauses Consolidation Acts Amendment Act, 1860,*" "*The Railways Clauses Consolidation Act, 1845,*" Part I. of "*The Railways Clauses Act, 1863,*" relating to Construction of a Railway, the Provisions of "*The Companies Clauses Consolidation Act, 1845,*" with respect to the several Matters following, (that is to 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 the 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, 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,*" relating respectively to Cancellation and Surrender of Shares, to additional Capital, and to Debenture Stock, are (except where expressly varied by this Act) incorporated with and form Part of this Act.

Interpreta-
tion of
Terms.

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:

The Expression "*the Special Act*" shall mean this Act:

The

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The Expression "the Company" shall mean the *Great Eastern Railway Company* :

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 common Simple Contract Debt, and not a Debt or Demand created by Statute.

4. Subject to the Provisions of this Act and of the Acts wholly or partially incorporated herewith, the Company may make and maintain in the Line and according to the Levels shown on the deposited Plans and Sections the Railways and Works herein-after described, with all proper Stations, Approaches, Works, and Conveniences connected therewith respectively, and may enter upon, take, and use such of the Lands delineated on the said Plans and described in the deposited Book of Reference as may be required for that Purpose, or for any of the Purposes herein-before mentioned. The Railways and Works herein referred to are :

Power to make Railways according to deposited Plans.

1. A Railway (in this Act called Railway No. 1), Four Furlongs and Eight Chains in Length, commencing in the Parish of *Saint John, Hertford*, in the County of *Hertford*, by a Junction with the *Hertford Branch* of the *Great Eastern Railway*, and terminating in the Parish of *All Saints, Hertford*, in the same County, at or near the East Side of *Bull Plain* :

2. A Railway in the Parish of *Enfield* in the County of *Middlesex* (in this Act called Railway No. 2), One Furlong and One and a Half Chains in Length, commencing by a Junction with the *Enfield Branch* of the *Great Eastern Railway*, and terminating at or near the Turnpike Road leading from *Enfield* to *London* :

3. An Alteration in the authorized Levels of the Railway referred to as Railway No. 3 in "The *Great Eastern Railway Metropolitan Station and Railways Act, 1864*," between *Hanger Lane* and *West Green Road* :

4. An Alteration or several Alterations in the Levels of the Railway authorized by "The *Great Eastern Railway (Ramsey Branch) Act, 1865*."

5. The Railways and Works by this Act authorized shall form Part of the Undertaking of the Company.

Railways, &c. to form Part of Undertaking.

6. The Company, with the Consent of Three Fifths of the Votes of the Shareholders present in person or by proxy at any General Meeting or General Meetings convened with special Notice of the Purpose may raise, by the Creation of new Ordinary or Preference Shares or Stock, such additional Capital beyond the Amount which they may be authorized to raise by other Acts of Parliament as they may think fit, not exceeding in the whole Seventy-six thousand Pounds.

Power to Company to raise Capital by Shares or Stock.

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Shares or
Stock to
form Part of
Company's
general
Capital.

One Fifth
Part of the
Shares to
be paid on
Issue.

Capital
under several
Acts may be
raised by
Shares or
Stock of One
Class.

7. All Shares or Stock to be created by the Company under the Authority of this Act shall, subject to the Provisions of this Act, form Part of the general Capital of the Company.

8. It shall not be lawful for the Company to issue any Share or Stock to be created under the Powers of this Act, nor shall any such Share or Stock vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share or Stock shall have been paid up in respect thereof.

9. If by any other Act or Acts passed before or after the passing of this Act the Company be authorized to raise any Capital by new Shares or Stock, then, subject to the Provisions of the other Act or Acts and this Act respectively, the Company, if they think fit, may raise, by the Creation and Issue of Shares or Stock of One and the same Class or of several Classes, from Time to Time all or any Part of the aggregate Capital which they are by the other Act or Acts and this Act respectively authorized to raise by the Creation and Issue of Shares or Stock; and the Company may from Time to Time, with the Consent of Three Fourths of the Votes of the Shareholders present personally or by proxy at a Special Meeting convened with Notice of the Object, attach to any Class of new Shares or Stock to be issued or created under this Provision, upon the Issue thereof, any perpetual, terminable, fixed, or variable Preference or Priority of Interest or Dividend out of the Profits of the Company in priority to the Ordinary Shares or Stock in the Company, not exceeding the Rate of Seven Pounds *per Centum per Annum*, as to the Company shall seem fit: Provided that no such Preference or Priority shall prejudice or affect any Preference or Priority in the Payment of Interest or Dividends which shall have been already granted or guaranteed by the Company on any other Shares or Stock in pursuance of or which may have been confirmed by any previous Act of Parliament, or which may otherwise be lawfully subsisting, but the said Preference or Priority granted under the Powers of this Act shall be subject to and rank after any such subsisting Preference, Priority, or Guarantee.

Power to
borrow on
Mortgage,
after passing
of Act,
Sums autho-
rized by
existing
Acts.

10. Whereas the total Share Capital of the Company already authorized under their several Acts amounts to the Sum of Twenty million seven hundred and ninety-eight thousand one hundred and eighteen Pounds, on which there has been paid up the Sum of Seventeen million two hundred and seventy-one thousand eight hundred and fifteen Pounds: And whereas the Company have, under the Powers of their several Acts, borrowed the Sum of Five million four hundred and seventy-seven thousand eight hundred and eleven Pounds, and the Company are empowered to borrow the further Sum of One million and eighty-four thousand nine hundred and sixty Pounds, but by the Company's Acts the borrowing of the last-mentioned Sum is dependent upon the Subscription of Share Capital authorized, but not yet issued, to the Amount of Three million two hundred and ten thousand

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thousand four hundred and twenty-three Pounds, and on the Payment of Twenty Pounds *per Centum* upon each Share: And whereas it has been found impracticable, in consequence of the disturbed State of the Money Market, to issue and procure Payment upon the said Share Capital on the Terms prescribed by the Company's Acts; but inasmuch as the Company have already paid upwards of Seventeen million Pounds of their said Capital, and are in possession of a net annual Income, after defraying the Cost of Maintenance and Management of their Undertaking, and the fixed Charges and Interest on all borrowed Capital, of upwards of Four hundred thousand Pounds, the Undertaking will afford ample Security for the Exercise of the said Borrowing Powers: And whereas the Company have given Notices for the Purchase of Lands upon their Metropolitan Extensions and other Lines, and have incurred Liabilities in respect thereof exceeding One million Pounds Sterling: And whereas the Company have expended from the Income of the current Year on Works properly charged on Capital Monies to the Amount of Four hundred and fifty thousand Pounds: Be it enacted, That it shall be lawful for the Company at any Time and from Time to Time hereafter to borrow on Mortgage the said additional Sum of One million eighty-four thousand nine hundred and sixty Pounds already authorized.

11. The Company shall apply Four hundred and fifty thousand Pounds only of the Money borrowed under the last preceding Provision to general Purposes, and the Remainder in the Completion of the Purchase of the said Lands.

Application of Money borrowed under last preceding Enactment.

12. The Company, in addition to the Sums which they are authorized to borrow as aforesaid, may from Time to Time borrow on Mortgage any Sums not exceeding in the whole Twenty-five thousand three hundred Pounds, but no Part thereof shall be borrowed until the whole of the said Capital of Seventy-six thousand Pounds is subscribed for, issued, and accepted, and One Half thereof is paid up, and the Company have proved to the Justice who is to certify under the 40th Section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies,) that the whole of the said Capital has been issued and accepted, and that One Half thereof has been paid up, and that not less than One Fifth of the Amount of each separate Share or Sum of Stock has been paid on account thereof before or at the Time of Issue or Acceptance thereof, and that such Capital was issued *bonâ fide*, and is held by the Subscribers or their Assigns, and that such Subscribers or their 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 Proof aforesaid has been given, which Certificate shall be sufficient Evidence thereof.

Power to borrow on Mortgage.

13. All Mortgages granted by the Company in pursuance of the Powers of any Act of Parliament before the passing of this Act, and which shall be subsisting at the Time of the passing of this Act, shall

Priority of existing Mortgages.

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during the Continuance of such Mortgages, and as regards the Undertaking comprised in and assigned by such Mortgages, have Priority over all Mortgages to be granted by virtue of this Act.

Debenture Stock.

14. The Company may create and issue Debenture Stock.

Application of Money raised under Act.

15. All Monies raised under this Act, whether by Shares or Stock or borrowing, shall be applied for the Purposes of this Act only.

Limiting Time for compulsory Purchase.

16. 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 Two Years from the passing of this Act.

Period for Completion of Works.

17. The Railways and Works shall be completed within Three Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Company for executing the Railways and Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as shall then be completed.

If Railways not completed, &c. within a limited Period, Company to be liable to a Penalty.

18. If the Railways by this Act authorized to be constructed shall not be completed and open for public Traffic within the Period of Three Years from the passing of this Act, then and from thenceforth the Company shall be liable to a Penalty of Fifty Pounds *per Day*, to be recoverable as a Debt due to the Crown, for every Day thereafter until the Railways (except as aforesaid) shall be completed and opened for public Traffic; 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 were prevented from completing or opening the Railways by unforeseen Accident or Circumstances beyond their Control; but the Want of sufficient Funds shall not be held to be a Circumstance beyond the Control of the Company.

Company to make good Deficiencies in Rates of Bethnal Green Parish caused by taking certain Lands and Buildings for Station and other Purposes in that Parish.

19. And whereas by reason of the Purchase hereby authorized of the said Lands and Buildings for Station and other Purposes in the Parish of *Saint Matthew, Bethnal Green*, referred to in the Preamble of this Act, Deficiencies may arise in the Assessments for the Poor and other Rates in the said Parish in respect of the said Lands and Buildings: Therefore the Company shall, from and after the Period when any such Lands and Buildings in that Parish shall be taken or become unoccupied or untenanted by reason of the same being required by the Company by Notice from the Company up to the Period when the Company shall be assessed to Rates, be assessed and rated for the said Lands and Buildings respectively in such Sum or Sums of Money as the same were assessed and rated at the Time of the passing of this Act; and the Company shall pay and make good to and in aid of such Parish, out of the Monies of the Company, all such Rates as aforesaid; and in default of Payment thereof the same shall and may be levied and recovered from the Company in the same Way or Manner as the same could or might have been recovered from
the

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the Owner or Occupiers of the same Premises in case this Act had not passed.

20. And whereas it is proposed by this Act to alter the Gradients of the present authorized Line where it crosses over the *Seven Sisters* Turnpike Road, and also to form a Station and other Works at *Enfield* on the North Side of the Road leading from *Edmonton* to *Enfield*, and which Two Roads are Turnpike Roads under the Charge of the Commissioners of the Metropolis Turnpike Roads North of the *Thames*: It shall not be lawful for the Company in making such Alteration of Gradients, or in forming the Station and other Works at *Enfield*, in any way to interfere with or alter the said Turnpike Roads.

For the Protection of the Seven Sisters and Enfield Turnpike Roads.

21. Subject to the Provisions in "The Railway 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, it shall be lawful for the Company in the Construction of the Railway to carry the same with a single Line of Railway only whilst the Railway shall consist of a single Line, and afterwards with a double Line of Railway only across and on the Level of the Roads next herein-after mentioned; (that is to say,)

Powers to cross certain Roads on the Level.

Railway No. 1.

No. on deposited Plan.	Parish.	Description of Road.
7	St. John, Hertford	Public Road.
<i>Somersham to Ramsey.</i>		
31	Pidley cum Fenton	Drove.
7	Warboys	Drove.
5	Bury	Drove.
17	Bury	Public.

And subject to the same Provisions it shall be lawful for the Company to continue and maintain as now constructed their *Melford and Clare* Line of Railway across and on the Level of the Road in the Parish of *Cavendish* in the County of *Suffolk* which leads from *Cavendish* to *Belchamp*: Provided always, that in carrying the Railway across the Road numbered 7 in the Parish of *St. John, Hertford*, the Company shall construct the Railway as near as practicable to the *Hertford and Welwyn* Railway, and in such Manner as to make the crossing of the said Road by those Two Railways One level Crossing.

22. The Company shall, not less than Eight Weeks before they take in any Parish Fifteen Houses or more occupied either wholly or partially by Persons belonging to the Labouring Classes as Tenants or Lodgers, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses, and the Company shall

Notice to be given of taking Houses of Labouring Classes.

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shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner herein-before required.

Railway
Tolls.

23. The Company may demand and take in respect of the Railways by this Act authorized such Tolls and Charges, as they think fit, not exceeding the Rates of Tolls and Charges authorized to be taken on the *Great Eastern Railway*, as if the Railways by this Act authorized had been authorized by "The *Great Eastern Railway Act, 1862*;" and in estimating the Amount of Toll or Charge in respect of any Traffic conveyed partly on the Railways by this Act authorized and partly on any other Railways of the Company, the Railways by this Act authorized and such other Railways shall be deemed One Railway.

Interest not
to be paid on
Calls paid up.

24. The Company shall not, out of any Money by this Act or any other Act authorized to be raised by Calls or by borrowing, pay Interest or Dividend to any Shareholder on the Amount of the Calls made in respect of the Shares held by him: Provided always, that this Act shall not 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*."

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

25. The Company shall not, out of any Money by this or any other Act authorized 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 authorizing the Company to construct any other Railway, or to execute any other Work or Undertaking.

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

26. Nothing herein contained shall be deemed or construed to exempt the Railways by this Act authorized to be made 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 authorized by this Act.

Expenses of
Act.

27. All Costs, Charges, and Expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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