



CHAPTER clxvi.

An Act to authorise the Great Eastern Railway Company to construct additional Railways in the Counties of Middlesex Hertford and Cambridge; to improve parts of their existing Railways and of the March and Spalding Railway; to construct Tramways at Wisbech and to execute other works and to confer upon them other powers in relation to their undertaking; to authorise a diversion of the Hertford Branch Railway; and for other purposes. [24th July 1882.]

A.D. 1882.

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

To construct the railways herein-after described in the counties of Middlesex Hertford and Cambridge:

To widen and improve certain parts in this Act mentioned of their main line and of their North Woolwich Branch Railway Colchester main line and Dereham Fakenham and Wells Branch Railway:

To improve and divert certain parts in this Act mentioned of their Colchester main line of the March and Wisbech Railway and of the March and Spalding Railway and in connexion with the diversions of the two last-mentioned railways to construct a new line of railway at and near March Station on the Company's Ely and Peterborough Branch Railway:

To stop up and discontinue part of the public footpath herein-after mentioned in the parish of All Saints Poplar in the county of Middlesex and to make in lieu thereof a new footpath:

To divert and alter the public footpaths herein-after mentioned in the parishes of Braintree in the county of Essex and Tottenham in the county of Middlesex:

To alter and improve the bridges herein-after mentioned by which certain public roads are carried over the Company's North
[Local.-166.]

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Woolwich Branch Railway and to alter the gradients of part of that railway :

To alter and extend the bridge by which the Company's railway is carried over Brick Lane the expense of the said works to be borne partly by the Company and partly by the Vestry of Saint Matthew Bethnal Green and the Whitechapel District Board of Works as herein-after provided :

To construct and work the tramways by this Act authorised at Wisbech ;

To purchase lands in the City of London and county of Middlesex for the enlargement and improvement of their Liverpool Street Station and additional lands in various counties for the general purposes of their undertaking.

And whereas it is expedient that the Company should be authorised to divert and improve the part herein-after mentioned of the Hertford branch railway :

And whereas it is expedient that the respective times now limited for the following purposes should be extended, viz. :—

42 & 43 Vict.
c. cl.

(A) For the compulsory purchase of certain lands herein-after mentioned under the powers of The Great Eastern Railway Act 1879 ; and

(B) For the completion of the works herein-after in that behalf mentioned authorised by the Great Eastern Railway Act 1879.

40 & 41 Vict.
c. lxxxiii.

And whereas it is expedient that the Company should be authorised to abandon the construction of the railway authorised by section 6 of the Great Eastern Railway Act 1877 which will be rendered unnecessary by the construction of the Railway (No. 2) by this Act authorised :

And whereas it is expedient that the Great Northern and Great Eastern Joint Committee should be authorised to purchase additional lands in the parish of Chatteris in the Isle of Ely in the county of Cambridge :

And whereas it is expedient that such provision should be made as is herein-after contained with respect to the holding providing maintaining conducting and demising by the Company of hotels refreshment rooms and other like accommodation at or in connexion with stations on the railways of or worked by the Company :

44 & 45 Vict.
c. cxxxiv.

And whereas by the Great Eastern Railway Act 1881 the Company were required (section 100) to create a preferential stock not exceeding 700,000*l.* in amount applicable to certain purposes therein specified but it was provided that of such stock 575,000*l.* should be issued in the first instance and the remaining 125,000*l.* should be issued only under the provisions of some future Act or the certificate of the Board of Trade :

And whereas the Company have accordingly created the said stock to the amount of 700,000*l.* and have authorised the issue of 575,000*l.* part thereof :

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And whereas it is expedient that the Company should be authorised to issue and apply for the purposes of this Act the balance of 125,000*l.* of the said stock :

And whereas it is expedient that the Company should be empowered to apply their funds and revenues for the purposes of this Act and to raise further money for the purposes of this Act and general purposes of the Company :

And whereas by the East Norfolk Railway Act 1879 the East Norfolk Railway Company were authorised to construct certain railways described in that Act and therein called "the Western Extensions" and by the seventeenth section of the said Act it was provided that the sum of 6,010*l.* 9*s.* £3. per centum consolidated Bank Annuities which had been transferred into the name of Her Majesty's Paymaster-General in respect of the application to Parliament for the said Act should not be transferred to or on the application of the depositors thereof unless the East Norfolk Railway Company should previously to the expiration of the period (being three years from the passing of the said Act) thereby limited for completion of the western extensions open the same for the public conveyance of passengers subject to a proviso for the re-transfer from time to time to the depositors of parts of the said annuities in proportion to the length of any portion of the western extensions which might be opened as aforesaid :

42 & 43 Vict.
c. lxi.

And whereas the whole of the western extensions except the Railway No. 2 authorised by the East Norfolk Railway Act 1879 have been completed and opened for the public conveyance of passengers and a proportionate part of the said annuities have been transferred to the East Norfolk Railway Company :

And whereas by the Great Eastern and East Norfolk Railway Companies Act 1881 the undertaking of the East Norfolk Railway Company was transferred to and vested in the Company :

44 & 45 Vict.
c. xxxvii.

And whereas it is expedient that the period limited by the East Norfolk Railway Act 1879 for the completion of the Railway No. 2 authorised by that Act and forming part of the western extensions should be extended :

And whereas it is expedient (the Company being made liable by this Act to penalties in the event of their not completing the western extensions within the time limited in that behalf by the East Norfolk Railway Act 1879 and by this Act respectively) that provision should be made for the transfer to the Company of so much of the annuities mentioned in the said seventeenth section of

A.D. 1882. — the East Norfolk Railway Act 1879 as have not been transferred under the provisions of that Act:

And whereas plans and sections describing the lines situations and levels of the works by this Act authorised and the lands required for the purposes thereof and plans describing the additional lands which may be taken compulsorily under the powers of this Act and books of reference to such plans respectively containing the names of the owners or reputed owners and of the lessees or reputed lessees and of the occupiers of such lands have been deposited as follows (that is to say) with respect to railway No. 1 herein-after described with the clerk of the peace for the county of Middlesex and with the clerk of the peace for the county of Hertford. In the case of all other railways works and lands in the county of Middlesex with the clerk of the peace for that county. In the case of all other railways works and lands in the county of Hertford with the clerk of the peace for that county. In the case of all railways works and lands in the Isle of Ely in the county of Cambridge with the clerk of the peace for the Isle of Ely and with the clerk of the peace for the county of Cambridge. In the case of all railways works and lands in the county of Cambridge with the clerk of the peace for that county. In the case of all railways works and lands in the county of Essex with the clerk of the peace for that county. In the case of all works and lands in the county of Norfolk with the clerk of the peace for that county. In the case of all lands in the county of Suffolk with the clerk of the peace for that county. In the case of all lands and works in the city of London with the clerk of the peace for that city. And in the case of the tramways herein-after mentioned with the clerk of the peace for the Isle of Ely in the county of Cambridge and with the clerk of the peace for the county of Cambridge and with the clerk of the peace for the county of Norfolk (which respectively are in this Act referred to as the deposited plans sections and books of reference):

And whereas the objects aforesaid cannot be effected without the authority of Parliament:

May it therefore please your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title.

1. This Act may be cited as the Great Eastern Railway Act 1882.

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 provisions of the Companies Clauses Consolidation Act 1845 with respect to the several matters following namely :—

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8 & 9 Vict.
c. 16.

- The distribution of the capital of the Company into shares ;
- The transfer and transmission of shares ;
- The payment of subscriptions and the means of enforcing the payment of calls ;
- The forfeiture of shares for non-payment of calls ;
- The remedies of creditors of the Company against the shareholders ;
- The borrowing of money ;
- The conversion of the borrowed money into capital ;
- The consolidation of 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 relating respectively to cancellation and surrender of shares to additional capital and to debenture stock ;

26 & 27 Vict.
c. 118.

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

8 & 9 Vict. c. 18.
23 & 24 Vict.
c. 106.
32 & 33 Vict.
c. 18.
8 & 9 Vict. c. 20.
26 & 27 Vict.
c. 92.

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

Section 3 (interpretation of terms) section 19 (local authority may lease or take tolls) and Parts II. and III. of the Tramways Act 1870 relating respectively to construction of tramways and general provisions.

33 & 34 Vict.
c. 78.

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—

Interpreta-
tion.

The expressions “the tramways” and “tramway undertaking” shall mean the tramways by this Act authorised and the passing places sidings and other works buildings and lands forming part of or used in connexion therewith and for the purposes thereof ;

The word “contingencies” in section 122 of the Companies Clauses Consolidation Act 1845 shall with reference to the Company be construed to include the contingency of the tramways being sold to the local authority under section 43 of the Tramways Act 1870 at a sum less than the aggregate amount of the capital and debts of the Company ;

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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.

Interpretation of term "parish clerk." 18 & 19 Vict. c. 120.

4. With respect to lands within the metropolis as defined by the Metropolis Management Act 1855 and the Acts amending the same the expressions "parish clerks" and "clerks of the several parishes" in sections seven eight and nine of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards those parishes or extra-parochial places in which by the Standing Orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or extra-parochial place is included mean in the first case the vestry clerks of those parishes and in the second case the clerks of those district boards respectively.

Power to execute works.

5. Subject to the provisions of this Act the Company 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 railways and the widenings and improvements and diversions of railways and other works described in this Act with all proper stations sidings approaches works and conveniences in connexion therewith respectively 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.

Description of new railways.

6. The railways authorised by this Act are the following (that is to say) :—

- (A) A railway (No. 1) 5 miles and 7.50 chains or thereabouts in length commencing by a junction with the Enfield branch of the Company in the parish of Edmonton in the county of Middlesex and terminating by a junction with the London and Cambridge main line of the Company in the parish of Cheshunt in the county of Hertford ;
- (B) A railway (No. 2) 1 mile or thereabouts in length in the parishes of Ely Saint Mary and Ely Trinity or one of them in the Isle of Ely in the county of Cambridge commencing by a junction with the Company's Ely and Norwich main line and terminating by a junction with the Company's Ely and Peterborough line ;
- (C) A railway on the deposited plans and sections distinguished as Railway (No. 5) 1 furlong and 3 chains or thereabouts in

length in the parish of March in the Isle of Ely commencing by a junction with the Company's Ely and Peterborough branch railway and terminating by a junction with the improvement and diversion of the Company's March and Wisbech Railway herein-after described and by this Act authorised.

A.D. 1882.

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

Description of widenings and improvements of railways.

(1) Of the Company's main line on the north-western and northern sides thereof commencing in the parish of Saint Botolph Bishopsgate in the city of London on the north-west side of the Liverpool Street Station and terminating in the parish of Saint Matthew Bethnal Green in the county of Middlesex at or near the bridge carrying the said main line over Nottingham Street;

(2) Of the Company's main line on the south side thereof in the parish of Saint Matthew Bethnal Green in the county of Middlesex commencing by a junction with the Company's goods lines at or near the bridge carrying the said main line over Nottingham Street and terminating by a junction with the Bethnal Green and Bow Improvement authorised by the Great Eastern Railway Act 1876 at the commencement thereof;

39 & 40 Vict. c. lxxviii.

(3) Of the Company's North Woolwich Branch Railway in the parish of West Ham and county of Essex commencing about seven chains north of the Stratford Market Station and terminating near the place where the road leading from West Ham to Canning Town crosses the said branch railway on the level;

(4) Of the Company's Colchester main line on both sides thereof in the county of Essex commencing in the parish of West Ham about four chains west of the Maryland Point Station and terminating in the parish of Romford about nine chains west of the Romford Station;

(5) Of the Company's Dereham Fakenham and Wells branch railway in the county of Norfolk commencing in the parish of North Elmham about twenty-one chains south of the North Elmham Station and terminating in the parish of Great Ryburgh about eight chains south-east of the Ryburgh Station.

8. The diversions of railway which the Company are by this Act authorised to make execute and maintain are the following (that is to say):—

Description of diversions of railway.

A.D. 1882.

- (A) An improvement and diversion in the parish of Lexden in the county of Essex of the Company's Colchester main line commencing about twenty-eight chains west of the booking-office of the Colchester Station and terminating about one and a half chains west of the said booking-office ;
- (B) An improvement and diversion of the Company's March and Wisbech Railway in the parish of March in the Isle of Ely in the county of Cambridge in the parish of March commencing by a junction with the Company's Ely and Peterborough branch railway about eight chains west of the booking-office of the March Station and terminating by a junction with the Company's March and Wisbech Railway about seven and a half chains north of the junction therewith of the March and Spalding Railway and the Company may discontinue for purposes of passenger traffic so much of their said main line as lies between the points at which the diversion thereof by this section authorised will commence and terminate and may abandon and remove the works and rails of and connected with so much of their said March and Wisbech Railway as crosses the public road leading from the Wisbech Lower Road to March on the level at a point about eighteen chains north-west of the said booking-office of March Station.

Other
works.

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

- (1) The stopping up and discontinuance for public use of so much of the public footway situate in the parish of All Saints Poplar in the county of Middlesex leading from Harrow Lane to the Company's Millwall Junction Station as lies between Harrow Lane and the northern end of the bridge carrying the said public footpath over the sidings of the North London Railway Company near the Millwall Junction Station at a point about four chains north from the booking-office of the said Millwall Junction Station and the making in lieu thereof of a new footpath commencing at a point on the south side of High Street Poplar immediately opposite the street or row known as England Row and terminating at or near the north end of the last-mentioned bridge ;
- (2) The diversion or alteration of the public footpath in the parish of Braintree in the county of Essex leading from Braintree to Messieurs Courtauld's silk mills and now crossing the Company's goods lines and sidings on the level at a point about one chain from the east end of the Company's engine shed at Braintree goods station which said diversion or alteration will commence at a point on the said public footpath

about one chain from the north-east angle of the said engine shed and will terminate at a point in the said public footpath about one and a half chains south-east of the south-east angle of the said engine shed and upon the completion of such diversion the Company may stop up and discontinue the portion of the said existing footpath between the commencement and termination of the diversion and all rights of way over the aforesaid level crossing shall be by this Act extinguished ;

- (3) The construction in the parish of Tottenham in the county of Middlesex of a footbridge commencing at a point in the public footpath which now crosses the Company's Cambridge main line on the level at the Park Station on the north side thereof such point of commencement being on the west side of the railway about three-quarters of a chain north of the booking-office at the Park Station and terminating on the east side of the railway at a point about one and a quarter chains north-east of the said booking-office and upon the completion of such footbridge the right of foot passengers not being in charge of any carriage or animal to cross the railway on the level at the existing level crossing shall be by this Act extinguished ;
- (4) The alteration and improvement of the bridge in the parish of West Ham in the county of Essex carrying the public road leading from Poplar to Barking over the Company's North Woolwich Branch Railway near the Canning Town Station thereon ;
- (5) The alteration and improvement of the bridge in the parish of West Ham in the county of Essex carrying the public road leading from London to Romford and Colchester over the North Woolwich Branch Railway about three chains north-west from the Company's Stratford Market Station ;
- (6) An alteration of the gradients of the North Woolwich Branch Railway of the Company in the parish of West Ham in the county of Essex commencing at a point about fourteen chains north of the viaduct and bridge carrying the northern outfall sewer of the Metropolitan Board of Works over the said railway and terminating at a point about six chains south of the said viaduct and bridge ;
- (7) An alteration and extension of the bridge in the county of Middlesex in the parishes of Saint Matthew Bethnal Green and Christ Church Spitalfields carrying the railway of the Company over the street or road known as Brick Lane ;

The Company may make execute and maintain in the lines and according to the levels shown on the deposited plans and sections

A.D. 1882. the following work with all proper stations sidings approaches works and conveniences connected therewith (that is to say) :—

A diversion and improvement wholly situate in the parish of St. John Hertford in the county of Hertford of the Hertford Branch Railway commencing at or near a point about fifteen chains north-east of the booking-office of the Company's station at Hertford and terminating on the east side of the road known as Dickermill Lane at a point about two and a half chains south-east of the place where the said lane crosses on the level the Hertford branch railway ;

and may enter upon 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 Company may also make execute and maintain a diversion of part of the March and Spalding Railway in the parish of March in the Isle of Ely in the county of Cambridge commencing by a junction with the improvement and diversion (B) by this Act authorised of the Company's March and Wisbech Railway about one chain west of the existing junction of the said March and Spalding Railway with the Company's March and Wisbech Railway near March Station and terminating by a junction with the said March and Spalding Railway about seven and a half chains north of the said existing junction and the portion of railway and works of which such diversion will consist shall from and after the completion and opening thereof for public traffic be by this Act vested in the Company and the Great Northern Railway Company jointly and equally as part of the joint undertaking referred to in section 21 of the Great Northern and Great Eastern Railway Companies Act 1879 and the provisions of that Act shall extend and apply thereto accordingly and to the Company and the Great Northern Railway Company in respect thereof in all respects as if the same had been mentioned in the said section 21.

42 & 43 Vict.
c. ex.

Existing
level cross-
ings may be
maintained.

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

Power to
cross certain
road on the
level.

11. Subject to the provisions of 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 Railway No. 1 carry the same with a single line only whilst the railway shall consist of a single line and afterwards with a double line only across and on the level of the road numbered on the deposited plans of the said Railway 6 in the parish of Cheshunt. A.D. 1882.

12. The Company may make the roadway over the bridges by which the following roads will be carried over the railway of such width between the fences thereof as the Company think fit not being less than the respective widths herein-after mentioned in connexion therewith respectively (that is to say):— Widths of certain roadways.

No. on Plan.	Parish.	Description of Roadway.	Width of Roadway.
RAILWAY NO. 1.			
13	Enfield	Public road	20 feet
18	Enfield	Public road	20 feet
24	Enfield	Public road	15 feet
30	Enfield	Public road	20 feet

13. The Company may make the arch of the bridge for carrying the railway over the road next herein-after mentioned of any height and span not less than the height and span herein-after mentioned in connexion therewith (that is to say):— Height and span of bridge.

No. on deposited Plan.	Parish.	Description of Road.	Height.	Span.
ALTERATION OF BRICK LANE BRIDGE.				
2	Christ Church Spitalfields	Public road	14 feet	40 feet
2	Saint Matthew Bethnal Green			

14. The Company may make the bridge for carrying the Railway No. 1 over the public highway or main road No. 22 in the parish of Cheshunt of any height and span not being less than a clear height of seventeen feet from the crown of the road thereunder and a span of sixty-five feet on the square across the road: Provided that should they think fit so to do the Company may erect for the support of the said bridge on either side of the carriage-way thereunder three iron columns or pillars the said Bridge over public road No. 22 in Cheshunt.

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columns or pillars to be so situated or placed as to leave between the lines of the same a clear carriage-way of forty-two feet on the square and the Company shall construct the said bridge and hereafter maintain the same in such a manner that rain or other water shall not at any time drip or flow therefrom upon the carriage-way or footways thereunder or upon any part or parts thereof.

For construction of culvert over watercourse on east side of road in the parish of Cheshunt (Railway No. 1).

15. The Company shall where Railway No. 1 by this Act authorised crosses the watercourse running on the east side of the road No. 22 in the parish of Cheshunt on the deposited plans construct and maintain a substantial brick culvert having a clear waterway of not less than twelve feet measured horizontally and at right angles to the flow of the stream and so that the soffit of the arch of this culvert shall be at the centre not less than seven feet above the bed of the stream: Provided always that the Company shall not commence nor execute the said culvert or any works in connexion therewith unless and until they have first delivered to the Surveyor of Bridges for the County of Hertford plans drawings and specifications of the said culvert and works intended to be executed nor until the same plans drawings and specifications shall have been examined and approved of by the said surveyor and if the said surveyor shall fail to approve or disapprove of the works for one calendar month after the plans drawings and specifications thereof have been delivered to him he shall be deemed to have approved the same: Provided that if any difference arise between the Company and the said surveyor with reference to the said works or plans drawings and specifications then the Company shall not execute nor commence any such works as aforesaid unless and until plans drawings and specifications thereof shall have been examined and approved of by an engineer to be appointed by the Board of Trade on the application of the Company. The Company shall execute all such works as aforesaid at their sole expense and under the superintendence and to the reasonable satisfaction of the said surveyor whose reasonable charges incident to the approval of the said plans drawings and specifications and to the superintendence of the works shall be paid by the Company and the Company shall at the like expense subsequently maintain the same works and all necessary works connected therewith in good substantial condition to the satisfaction of the said surveyor.

For protection of Theobald Lane County

16. Notwithstanding anything in this Act or in any Act incorporated therewith contained the Company shall not for the purposes of the works by this Act authorised take use or interfere with the Theobald Lane County Bridge or the approaches thereto in the parish of Cheshunt in the county of Hertford.

17. For the purposes of carrying Railway No. 1 over the road No. 43 in the parish of Enfield in the county of Middlesex the Company shall construct and maintain a bridge with a clear span of twenty-five feet and a clear headway of fifteen feet and shall lower the said road No. 43 on each side of the said bridge so as to make it of an inclination of not less than one foot in thirty feet the said bridge and all works connected therewith and also any bridge to be erected for carrying any highway in the said county over the railway together with the approaches to any such bridge and the roadway over the same and all works connected therewith shall be constructed subject to the following conditions namely:—

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For protection of Middlesex bridges and roads.

The Company shall not commence nor execute any works as aforesaid until they have first delivered to the Surveyor of Middlesex County Bridges plans drawings and specifications of the works intended to be executed nor until the same plans drawings and specifications shall have been examined and approved of by the said surveyor by writing under his hand and if the said surveyor shall fail to approve or disapprove of the works for one calendar month after the plans drawings and specifications thereof have been delivered to him he shall be deemed to have approved the same: Provided that if any difference arise between the Company and the said surveyor with reference to the said works or plans drawings and specifications then the Company shall not execute nor commence any such works as aforesaid unless and until plans drawings and specifications thereof shall have been examined and approved of by an engineer to be appointed by the Board of Trade on the application of the Company. The Company shall execute all such works as aforesaid at their sole expense and under the superintendence and to the reasonable satisfaction of the said Surveyor of Middlesex County Bridges whose reasonable charges incident to the approval of the said plans drawings and specifications and to the superintendence of the works shall be paid by the Company and the Company shall at the like expense subsequently maintain the same works and all necessary works connected therewith in good substantial condition to the reasonable satisfaction of the said surveyor and the Company shall not except so far as may be necessary for the purposes of altering the inclination of the road No. 43 as aforesaid interfere with or alter the county bridge carrying the said road No. 43 over the stream called Wash Brook.

18. While the Company are possessed under the authority of this Act of any lands houses buildings or other property in the

Rates to be paid to the parish of

A.D. 1882.

Saint
Leonard
Shoreditch
during con-
struction of
railway.

parish of Saint Leonard Shoreditch assessed or liable to be assessed to any parochial or other general or special rate and until any works to be constructed under the authority of this Act in the same parish are so far completed as to be assessed or liable to be assessed as completed works the Company shall be liable to make good the deficiency in the assessment for such rates by reason of such lands houses buildings or property being taken or used by them for the purposes of this Act and the deficiency shall be computed according to the rental at which such lands houses buildings and property respectively are rated in the rate made for the said parish in force at the date of the passing of this Act.

For protec-
tion of the
East London
Waterworks
Company.

19. Whereas certain of the works by this Act authorised are situate within the district supplied with water by the East London Waterworks Company (in this section called "the water company") and divers mains pipes services and other works have been laid down or constructed and are maintained and now in use by the water company for the purpose of their water supply in divers roads streets highways courts alleys and other places shown upon the deposited plans or which will or may under the powers of this Act be stopped up and discontinued as public thoroughfares and such mains pipes services and other works will or may in some cases be destroyed or rendered useless and in other cases be intersected or otherwise interfered with by the Company in the execution of the powers of this Act therefore the following provisions shall have effect:—

(A) If and when the Company for the purpose of any of the railways and works by this Act authorised acquire and appropriate any houses buildings and land which are served with water by the mains pipes services or works of the water company laid down and maintained by them in any road street highway court alley or other place or stop up and discontinue as a public thoroughfare any such road street highway court alley or other place so that the same mains pipes services and works or any of them or any part thereof respectively become useless for supplying water the Company shall pay to the water company the cost to them of such mains pipes services and works or of such part thereof respectively as shall so become useless and their expenses in and about the laying down of the same in their then position and the same shall thereupon become the property of the Company and the Company shall also pay to the water company their reasonable charges for removing any of their mains pipes services and works in immediate communication therewith and which the works of the Company shall render useless;

- (B) In constructing the railways and works respectively by this Act authorised the Company shall in respect of the mains pipes services and other works of the water company conform with and observe (subject and without prejudice to the provisions of this Act) the provisions in that behalf with respect to the construction of the railway and works connected therewith of the Railways Clauses Consolidation Act 1845 and those provisions shall (subject and without prejudice to the provisions of this Act) extend and be applicable to the railways and works by this Act authorised and the incidental works connected therewith respectively ;
- (c) Any alteration of or interference with any existing main pipes service or work of the water company by the Company for any of the purposes by this Act authorised shall not be commenced until after fourteen days' previous notice thereof in writing shall have been given by the Company to the water company and if the water company by notice in writing to the Company within seven days' after the receipt by them of notice of the intended commencement by the Company of any such work of alteration or interference require that the water company shall by their own engineer and workmen execute such work they may on the expiration of the first-mentioned notice execute the same and the Company shall on the completion thereof pay to the water company the reasonable expenses incurred by them in the execution thereof ;
- (D) The Company shall bear the reasonable expenses of and incident to the superintendence and watching by the water company or their engineer or officers of all or any of the works by this Act authorised during the progress and until the completion of the same and by which any main pipe service or work of the water company shall be interfered with ;
- (E) The water company and their engineer and workmen may at all reasonable times when necessary enter upon the railways and works by this Act authorised for the purposes of executing any repairs to any of their mains or pipes and subject to their giving seven days' notice in writing to the engineer for the time being of the Company for the purpose of laying and maintaining and may lay and maintain any mains pipes services or other works needful or proper for carrying on their supply of water under or over the said railways and works and in every case in which the works of the Company shall interfere with the mains and pipes of the water company the Company shall give every reasonable facility for provision being made so as to allow such mains and pipes to be replaced by mains and pipes of a larger size : Provided always that the water company

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shall in the exercise of these powers do as little damage as possible and shall not interrupt or prejudicially interfere with the traffic passing on the railway or other property of the Company and shall submit to the engineer for the time being of the Company for his approval plans and sections of all pipes mains and other works proposed from time to time to be laid or constructed affecting the railways and works by this Act authorised: Provided that if he fail to express his approval or disapproval of the same in writing within fourteen days' after the said plans and sections are submitted to him he shall be deemed to have approved the same;

- (F) If any interruption whatsoever in the supply of water by the water 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 water company for the use and benefit of the water company the sum of ten pounds for every hour during which such interruption shall continue such sum to be recovered by the water company in any court of competent jurisdiction;
- (G) The expense of all repairs or renewals of any main pipe or service of the water company or any works in connexion therewith which may at any time hereafter be rendered necessary by the acts or defaults of the Company their contractors agents workmen or servants or any person in the employ of them or any or either of them shall be borne and paid by the Company and may be recovered against them by the water company in any court of competent jurisdiction;
- (H) If any difference shall arise between the Company or their engineer and the water company or their engineer touching the amount of any costs expenses or charges under the provisions of this Act or any Act incorporated therewith to be paid by the Company to the water company or touching the mains pipes services or other works under such provisions to be laid down constructed or maintained by the Company or the water company or the mode of laying down or constructing the same or the position thereof such difference shall be settled by arbitration in accordance with the provisions of the Companies Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration;
- (I) Except as in this Act specially provided nothing in this Act shall prejudice diminish alter or take away any of the rights privileges powers or authorities of the water company.

20. The sub-sections 1 5 6 7 8 and 10 of section 14 of the Great Eastern Railway Act 1876 and so much of sub-section 3 of the same section as relates to lighting shall for the protection of the Board of Works for the Whitechapel District and of the Vestry of Saint Matthew Bethnal Green respectively apply mutatis mutandis to the alteration and extension by this Act authorised of the bridge carrying the railway of the Company over Brick Lane.

A.D. 1882.

Applying certain provisions of 39 & 40 Vict. c. lxxviii.

21. 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 road sewer drain watercourse or work under the jurisdiction or control of the local board of health for the district of Romford in the county of Essex herein-after called "the local board" or may in any way affect the drainage of the district under their control the Company shall not commence such works until they shall have given to the local board fourteen days' notice in writing of their intention to commence the same by leaving such notice at the office of the clerk of the local board with plans elevations sections and other necessary particulars of the construction of the said works and until the local board shall have signified their approval of the same unless the local board 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 local board in the execution and subsequent maintenance of the said works and shall provide by new altered or substituted works in such manner as the local board may deem necessary for the proper protection of and for preventing injury or impediment to the roads sewers drains 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 local board against all and every the expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the surveyor engineer or other officer or officers of the local board 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 local board 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 or otherwise by the local board officers shall be paid to the local board 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

For protection of works of Romford Local Board of Health.

A.D. 1882. to the local board for the time being and the said works shall be as fully and completely vested in and under the jurisdiction and control of the local board 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 local board 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. And where any bridge over any road or public footpath in the district of the local board shall exceed forty-two feet in length the Company shall at their own expense fix thereunder a lamp and keep such lamp lighted with gas at such times as the public lamps in the district of Romford are kept lighted by the local board.

For protec-
tion of
Henry
Graves.

22. Before the Company shall for the purposes of the widening and improvement of the Colchester main line by this Act authorised either enter upon and take any of the lands in the parishes of Little Ilford or Barking or either of them of which Henry Graves by himself or with others is the owner or reputed owner or shall enter upon or obstruct or in any way deprive the said Henry Graves of the full use of the private carriage road in the parish of Barking which crosses the railway of the Company on the level near the Ilford Station thereof or any part of the said road (except for the purpose of making the subway and approaches herein-after mentioned) they shall construct and complete the subway referred to in section 67 of the Great Eastern Railway Act 1876 and the provisions of the said section 67 shall apply to the said widening and improvement of the Colchester main line *mutatis mutandis* as if they had been re-enacted in this Act.

For protec-
tion of
Bishopsgate
Ward
Schools.

23. Notwithstanding anything in this Act contained it shall not be lawful for the Company for the purposes of this Act to take enter upon or otherwise interfere with the land and property numbered 148 on the deposited plans in the parish of Saint Botolph Without Bishopsgate in the city of London being the Bishopsgate Ward Schools and school chapel and curate's residence or any part thereof or the streets adjacent thereto without the consent in writing of the trustees of the parish estates of Saint Botolph Without Bishopsgate the trustees of the Bishopsgate Ward Schools and the rector for the time being of the said parish of Saint Botolph Without Bishopsgate.

24. In the construction of railways and works and with reference to any lands to be purchased under the authority of this Act within the metropolis as defined by the Metropolis Management Act 1855 the following provisions shall have full force and effect:—

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As to rail-
way works
within the
metropolis.

(1) The Company shall not obstruct or interfere with any greater extent than one-half of High Street Shoreditch at any one time;

(2) All bridges or works to be constructed by the Company for carrying any public road or street within the metropolis over any railway or works by this Act authorised shall be constructed so as not to lessen the present clear width of such road or street where crossed including the footways and every such bridge shall be so fenced or protected as to prevent as far as may be practicable the escape of steam smoke or other offensive effluvia into the road or street;

(3) The Company shall not execute or commence any such bridge or work as aforesaid until they shall have given to the Metropolitan Board of Works twenty-one days' notice in writing of their intention to commence the same by leaving such notice at the office of the said board with plans elevations sections and other necessary particulars of the construction of the said bridge or work and until that board shall have signified their approval of the same unless that board fail to signify such approval or their disapproval or other directions within twenty-one 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 board in the execution and subsequent maintenance of every such bridge or work and the works connected therewith and shall save harmless the said board against all and every expense to be occasioned thereby and every such bridge and work shall be done to the reasonable satisfaction of the engineer or other officer of the said board at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the said board may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the said board by the Company on demand;

Plans &c. of
bridges in
the metro-
polis to be
submitted to
the Metro-
politan
Board.

(4) 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 sewer drain watercourse defence or work under the jurisdiction or control of the Metropolitan Board of Works or of any vestry or district

For protec-
tion of
sewers in
the metro-
polis.

A.D. 1882.
—

board of works constituted under the Metropolis Management Act 1855 or any Act or Acts amending the same or extending the powers thereof or with any sewers or works to be made or executed by the said boards or vestries or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or any of their control the Company shall not commence such works until they shall have given to the said Metropolitan Board or to the district board or vestry as the case may be twenty-eight days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of such board or vestry as the case may be for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such board or vestry respectively shall have signified their approval of the same unless such board or vestry as the case may be do not signify their approval disapproval or other directions within twenty-eight days after service of the said plan section and particulars as aforesaid and the Company shall comply with and conform to all orders directions and regulations of the said Metropolitan Board and of the respective district board or vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such boards or vestries respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by reason of the said intended works or any part thereof and shall save harmless the said boards and vestries respectively 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 engineer or other officer or officers of the said Metropolitan Board district board or vestry as the case may be at the costs charges and expenses in all respects of the Company and all reasonable costs charges and expenses which the said Metropolitan Board or any district board or vestry may be put to by reason of such works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to such board or vestry by the Company on demand and when any new altered or substituted works 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 thereafter be as fully and completely under the direction jurisdiction and control of the said Metropolitan Board district

board or vestry as the case may be respectively as any sewers or works now 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 respective boards or vestries or any or 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.

A.D. 1882.

25. The Company shall not exhibit or permit to be exhibited upon any part of their works constructed under the authority of this Act within view of any public street within the metropolis any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the Metropolitan Board of Works but this provision shall not prevent the exhibition of placards at or adjoining the entrance to any station giving information to the public of the train service of the Company.

Prohibiting placards and advertisements.

26. Whereas by reason of the execution of the works by this Act authorised and the taking down of houses buildings and other premises and conveniences and the taking of land in pursuance of this Act deficiencies may arise in the assessments of the poor and other rates in the parish of Saint Matthew Bethnal Green therefore the Company shall from and after the period when any lands houses buildings hereditaments or premises shall be taken or become unoccupied or untenanted by reason of the same being required for the purposes of the works authorised by this Act by notice from the Company up to the period when the said works shall be assessed to such rates as aforesaid be assessed and rated for the same premises respectively in such sum and 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 moneys 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 owners or occupiers of the same premises in case this Act had not been passed.

Deficiencies in assessments of rates in parish of Saint Matthew Bethnal Green to be made good by Company.

27. Except as expressly enacted in this Act nothing in this Act contained shall extend or be deemed or construed to extend to prejudice diminish alter or take away any of the rights powers authorities or privileges vested in the vestry of the parish of Saint Matthew Bethnal Green in the county of Middlesex but all such rights powers authorities and privileges vested in them respectively shall be as good valid and effectual as if this Act had not been passed anything herein contained to the contrary notwithstanding.

Saving rights of vestry of Saint Matthew Bethnal Green.

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For protection of the New River Company.

28. The Company shall not for the purposes of this Act take or acquire any part of the New River in the parish of Hornsey in the county of Middlesex or the banks thereof without the consent in writing of the New River Company.

For protection of sewers in the city of London.

29. Where any of the 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 sewer drain watercourse defence or work under the jurisdiction or control of the Commissioners of Sewers of the City of London or with any sewers or works to be made or executed by the said Commissioners or shall or may in any way affect the sewerage or drainage of the district under their control the Company shall not commence such work until they shall have given to the engineer or surveyor of the said Commissioners twenty-eight days' previous notice at his office or at the principal office of the Commissioners with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such Commissioners shall have signified their approval of the same unless such Commissioners do not signify their approval disapproval or other directions within twenty-eight days' after service of the said plan section and particulars as aforesaid and the Company shall comply with and conform to all directions and regulations of the Commissioners in the execution of the said works and shall provide by new altered or substituted works in such manner as such Commissioners may deem necessary for the proper protection of and for preventing injury or impediment to the sewers and works hereinbefore 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 may be done by or under the direction superintendence and control of the engineer or other officer or officers of the said Commissioners and at the costs charges and expenses in all respects of the Company and all reasonable 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 shall be paid to such Commissioners by the Company on demand and if any dispute shall arise between the Company and the said Commissioners as to the amount of such costs charges and expenses the same shall be settled by a justice of the peace of the city of London and be a debt due from the Company to the said Commissioners and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the costs charges and expenses of the Company under the provisions of this Act the same shall thereafter 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 their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed.

A.D. 1882.

30. In the construction of Railway No. 1 by this Act authorised the following provisions shall apply for the protection of the local board of health for the district of Edmonton:—

For protection of the Edmonton Local Board.

(A) The Company shall before Railway No. 1 by this Act authorised is opened for public traffic construct a bridge over the railway and approaches thereto in lieu of the existing level crossing of the road known as Bury Street in the parish of Edmonton over the Edmonton and Enfield Branch Railway of the Company which level crossing is numbered 1 on the deposited plans of Railway No. 1 in the said parish and shall and are hereby empowered to divert the said road for such purpose in such manner as they may think fit. Such bridge and the approaches thereto shall be of the full width throughout of twenty-five feet and the gradients of the approaches to the said bridge shall not be steeper than one in twenty and the approach thereto on the eastern side shall be provided with a culvert of not less than seventeen feet in width in the clear and with a clear headway of not less than six feet for the whole width of the culvert. And the Company may if it should become necessary to carry out the works hereby provided for divert the said stream or brook in such way as may have been previously approved by the said local board. The said local board shall within six months after the completion of the said bridge and the approaches thereto pay to the Company the sum of three hundred pounds as a contribution towards the expenses of constructing the same and the said local board are hereby authorised to make the said payment. When the said bridge and the approaches thereto are completed and opened for public use all rights of the public to cross the railway on the level where the same is now crossed by Bury Street shall absolutely cease and determine;

(B) In constructing Railway No. 1 across the stream or brook in the local government district of Edmonton at a point sixteen chains or thereabouts from the commencement of the said railway it shall be carried over that stream or brook by a bridge of a span of not less than seventeen feet with a clear headway for the full width of not less than six feet;

A.D. 1882.

(c) The Company shall make good and restore to the satisfaction of the said local board all sewers drains water pipes hydrants gas pipes and gullies which shall be broken up destroyed damaged or interfered with in the execution of the works by this Act authorised to be constructed in the parish of Edmonton.

For protection of the local board of East Ham.

31. In constructing the widening of the Company's Colchester main line within the district of the local board of East Ham the Company shall re-construct the bridge by which the road known as Forest Road Manor Park and numbered 4 in the parish of East Ham on the deposited plans is carried over the railway so as to make it of a not less width than thirty-five feet between the parapets and shall make the approaches thereto of the same width: Provided that nothing herein-before contained shall operate to prevent the Company and the said local board entering into any other agreement under their respective common seals which they shall think fit. The time for the re-construction of such bridge shall not exceed eight months and during the whole period of such re-construction the Company shall at their own expense in all things and to the reasonable satisfaction of the surveyor of the East Ham local board provide a temporary roadway and bridge in its place.

Land and right of way of North London Railway Company near Worship Street not to be taken or interfered with.

32. Notwithstanding anything in this Act contained the Company shall not without the consent in writing of the North London Railway Company under their common seal purchase and take the piece of land on the plans deposited for this Act numbered 8 in the parish of Saint Leonard Shoreditch or take away or permanently diminish or interfere with the full enjoyment by the North London Railway Company and their successors and assigns of the right of way granted or reserved to or vested in the North London Railway Company by or under two several indentures of conveyance both dated the twenty-second day of July one thousand eight hundred and seventy-two the one being made between the North London Railway Company of the one part and the Company of the other part and the other being made between the Company of the one part and the North London Railway Company of the other part and since enjoyed by the North London Railway Company and their lessees and occupiers in or over the roadways leading both southwards and northwards from Worship Street immediately on the east side of and forming an access to several of the arches of the viaduct of the North London Railway and numbered on the said deposited plans 3a in the liberty of Norton Folgate and 14 in the parish of Saint Leonard Shoreditch and any temporary interference with such right of way shall be limited to a consecutive period of twelve calendar months at the most and the Company shall during such temporary interference and if required by Francis Stevenson or

other the principal engineer for the time being of the North London Railway Company provide a substituted access to his satisfaction but nothing herein contained shall be deemed to extend or increase the rights of the North London Railway Company their successors or assigns under and by virtue of the said two several indentures dated the twenty-second day of July one thousand eight hundred and seventy-two.

33. On the widening of the Company's main line specified in sub-section No. 1 of clause 7—

For protec-
tion of North
London
Railway
Company in
widening of
Company's
main line.

The Company shall when and if necessary in the opinion of Francis Stevenson or other the principal engineer for the time being of the North London Railway Company underpin support or otherwise strengthen the foundations of the piers of the viaduct of the North London Railway from a point immediately on the north side of Primrose Street in the parish of Saint Botolph Bishopsgate in the city of London to the southern boundary of the said piece of land numbered 8 on the deposited plans for the parish of Saint Leonard Shoreditch in the county of Middlesex. Such underpinning supporting or strengthening to be according to plans sections and specifications and with materials of such quality or strength and in such manner in every respect as shall be previously submitted to and approved in writing by such principal engineer of the North London Railway Company and not in any other line or according to any other plan or section. And the works for the purposes of such underpinning supporting and strengthening shall be executed under the superintendence and to the reasonable satisfaction of such principal engineer of the North London Railway Company and in all things at the expense of the Company. And the Company shall not commence the construction of any works affecting the said viaduct of the North London Railway or enter upon or interfere with any land works or property belonging to the North London Railway Company until such plans sections and specifications have been so submitted and approved: Provided always that if the said Francis Stevenson or other such principal engineer as aforesaid shall for the period of one month neglect or refuse to approve such plans sections and specifications or shall disapprove the same then the said works shall be constructed according to plans sections and specifications to be submitted to and approved by an engineer to be agreed upon or in default of an agreement to be appointed at the request of either the Company or the North London Railway Company by the president for the time being of the Institution of Civil Engineers. The said works shall moreover be executed by the Company so as not to cause any injury to

A.D. 1882.

the railway of the North London Railway Company or interruption to the passage or conduct of the traffic over such railway and if any such injury shall arise to such railway or interruption to such traffic the Company shall make full compensation to the said North London Railway Company in respect of such injury or interruption ;

Provided always that nothing herein contained shall be construed as authorising the Company to enter upon or interfere with any land works or property belonging to the North London Railway Company except only so far as may be actually necessary for the purpose of underpinning supporting or otherwise strengthening the piers of the arches of the viaduct of the North London Railway within the limits aforesaid and not for the purpose of constructing thereon a retaining wall or for any other purpose whatsoever: Provided also that if any difference of opinion shall arise between the principal engineer of the North London Railway Company and the engineer-in-chief for the time being of the Company touching the said works the same shall be determined by a third engineer to be agreed upon by such two engineers or failing such agreement to be appointed by the president for the time being of the Institution of Civil Engineers before the said works are commenced. And all the costs and expenses which the North London Railway Company may incur in reference to the examination and approval of such plans and sections and the construction of such works including the expense of employment by the North London Railway Company of a sufficient number of inspectors or watchmen shall be paid by the Company to the North London Railway Company.

For protection of North London Railway Company in formation of new footpath at Poplar.

34. In the formation of the new footpath in the parish of All Saints Poplar in the county of Middlesex in lieu of the public footpath in that parish leading from Harrow Lane to the Company's Millwall Junction station and which is by this Act authorised to be stopped up the bridge carrying the said new footpath over the North London Railway shall be so constructed as to give a clear headway throughout above the level of the rails of fourteen feet six inches at the least with a clear span over the property of the North London Railway Company to extend from the existing northern abutment of the present footbridge over their line to the northern boundary of that Company's property and such bridge and all the works connected therewith so far as the same affect the land and property of the North London Railway Company shall be constructed executed and maintained respectively by such means and in such manner only as not to interfere with the traffic over or the free uninterrupted and safe use of the North London Railway and so as to leave undisturbed all the existing lines of rails at the point where they will be so

passed over or affected by the works for such bridge and the part of such works affecting the land and property of the North London Railway Company shall be executed according to plans and sections and specifications to be previously submitted to and approved by the principal engineer of the North London Railway Company and under his superintendence and to his reasonable satisfaction in all respects and at the expense in all respects of the Company: Provided always that if any difference of opinion shall arise between him and the engineer-in-chief for the time being of the Company touching the said works the same shall be determined by a third engineer to be agreed upon by such two engineers or failing such agreement to be appointed by the president for the time being of the Institution of Civil Engineers before the said works are commenced. And all the costs and expenses which the North London Railway Company may incur in reference to the examination and approval of such plans and sections and the construction of such works including the expense of employment by the North London Railway Company of a sufficient number of inspectors or watchmen shall be paid by the Company to the North London Railway Company.

35. For the protection of the vestry of Saint Mary Islington herein-after called "the vestry" (in addition to the other clauses herein for protection) be it enacted as follows:—

For protec-
tion of the
vestry of
Saint Mary
Islington.

(1) The Company shall maintain a communication along the Station Road about ten feet wide for persons on foot between the present north end of the Hudleston Road and the Junction Road so as to give access to the Junction Road from the Hudleston Road;

(2) The Company shall from time to time pay to the vestry the extra charges and expenses incurred by the vestry in the reparation maintenance and cleansing of the streets of the parish occasioned by the works and carts and other vehicles of the Company during the construction of the works and for the period of six months after the completion thereof and this sum shall be chargeable to and paid by the Company or recovered from them in a summary manner if necessary by the vestry in the same manner as the expenses of extraordinary traffic on highways is recoverable under the Highways and Locomotives Amendment Act 1878;

41 & 42 Vict.
c. 77.

(3) The Company shall not place or allow to be placed on the outside of any station depot or works in Islington constructed under the authority of this Act any notice board or placard except those relating to the business of the Company and this provision shall apply not only to the works when executed but to the works during construction and the fences and hoardings of the same;

A.D. 1882.

- (4) While the Company are possessed under the authority of this Act of any lands houses buildings or other property assessed or liable to be assessed to any district general or special rate and until any works to be constructed in the Islington district are so far completed as to be assessed or liable to be assessed to any such rate the Company shall be liable to make good the deficiency in the assessments by reason of such lands houses buildings or other property being taken or used by them and the deficiency shall be computed according to the rental at which such lands buildings and property were rated by the vestry at the time of the acquiring of such property or properties respectively by the Company ;
- (5) All works affecting any street or sewer under the jurisdiction of the vestry shall be executed and done to the reasonable satisfaction of the vestry and at the costs charges and expenses of the Company and the costs charges and expenses of the vestry occasioned by any act or proceedings of the Company in the construction of their works shall be defrayed by the Company ;
- (6) When 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 sewer drain watercourse defence or work under the jurisdiction or control of the vestry or with any sewers or works to be made or executed by the vestry or shall or may in any way directly or indirectly affect the sewerage drainage or street or other communication of the district under their control the Company shall not commence such work until they shall have given to the vestry twenty-eight days' previous notice in writing of their intention to commence the same by leaving such notice at the vestry hall for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until the vestry shall have signified their approval of the same (unless the vestry do not signify their approval disapproval or other directions within twenty-eight days after the service of the said plans sections and particulars aforesaid) and the Company shall comply with and conform to all orders directions and regulations of the vestry in the execution of the works and shall provide by new altered or substituted works in such manner as the vestry may deem necessary for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the intended works or any part thereof and shall save harmless the vestry against all and every expense to be occasioned thereby and all such works shall be done by or under the direction

superintendence and control of the engineer or other officer or officers of the vestry (unless such vestry refuses or neglects to give such superintendence at the time specified in such notice as aforesaid or discontinues the same during the work) at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the vestry may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the vestry by the Company on demand and when any new altered or substituted works 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 thereafter be as fully and completely under the direction jurisdiction and control of the vestry as any new sewers or works now are or hereafter may be and nothing in this Act shall extend to prejudice alter diminish or take away any of the rights powers or authorities vested or to be vested in the vestry or their successors but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed ;

(7) That any difference which may arise between the Company and the vestry under this enactment shall be from time to time referred to and be determined by an arbitrator to be appointed on the application of either party by the Board of Trade and the costs of the arbitration shall be in the discretion of the arbitrator ;

(8) In these sub-sections the word "works" shall mean and include the works and the station siding or other accommodation and the general purposes of the Company's undertaking for which the Bill proposes to authorise the Company to enter upon take and use the lands in the parish of Islington and the word "streets" shall have the same meaning and definition as the word "streets" in the Metropolis Local Management Acts 1855 and 1862.

25 & 26 Vict.
c. 102.

36. In executing the widening and improvement of the North Woolwich branch by this Act authorised and shown on the deposited plans the Company shall take only so much of the land owned by Richard Bagallay Bull Mary Willis Bull James Willis Bull and Hannah Bull as may be necessary for the said widening and improvement including the diversion of a portion of the road known as Manor Road in the parish of West Ham aforesaid from the west to the east side of the said North Woolwich branch and the Company shall so divert the said Manor Road by carrying the same with

As to diversion of the Manor Road in the parish of West Ham.

A.D. 1882: a minimum width of thirty feet from the point where the said road passes under the Northern Outfall Sewer along the east side of the said North Woolwich branch and passing under the London Tilbury and Southend Railway by an iron girder bridge of a minimum width of thirty feet with a headway at least as high as the headway of the existing bridge carrying the said railway over the occupation road on the east side of the North Woolwich branch and the said owners shall have access at all points from their lands to the said Manor Road when and as diverted.

For protection of West Ham Local Board.

37. For the protection of the West Ham Local Board in this section referred to as the local board the following provisions shall have effect that is to say:—

(A) In altering the bridge carrying the road from Poplar to Barking over the Company's North Woolwich Branch Railway the Company shall make the approach to the bridge from Poplar with a gradient not steeper than one foot in thirty feet and the approach to the said bridge from Stephenson Street of a gradient not steeper than one foot in twenty-five feet but the crown of the bridge shall not be raised to a height greater than shown on the deposited plans;

(B) In altering the bridge carrying the public road leading from London to Romford and Colchester over the Company's North Woolwich Branch Railway—

(1) The Company shall make the approaches to the bridge from Romford and from London respectively of gradients not steeper in each case than one foot in thirty-five feet but the crown of the bridge shall not be raised to a height greater than shown on the deposited plans;

(2) The gradient of Bridge Street shall not be made steeper than one foot in twenty feet; and

(3) The gradient of Burford Road shall not be made steeper than one foot in fifty-five feet;

(C) In executing the widening and improvement of the Company's Colchester main line the Company shall widen and lengthen the bridges carrying Water Lane and Hamfrith Road respectively over the said main line so that for the whole length of the said bridges over the said main line when widened the said bridges shall be respectively of a clear width between the parapets thereof of not less than thirty-five feet and the inclinations of the gradients of the said bridges respectively shall not be increased;

(D) In executing the widening and improvement of the Company's North Woolwich Branch Railway—

(1) The Manor Road shall be diverted as shown upon the deposited plans but subject to the provisions herein-after

contained and upon the completion of such diversion all public rights of way over the level crossing by which the existing Manor Road is carried over the said North Woolwich branch and over the level crossing by which the said Manor Road is carried over the railway connecting the London Tilbury and Southend Railway with the said North Woolwich Branch Railway and the level crossing by which Star Lane is carried over the said North Woolwich Branch Railway and which level crossings are respectively shown upon the deposited plans relating to the widening and improvement of the said North Woolwich Branch Railway shall be by this Act extinguished ;

- (2) So much of the Manor Road when diverted as will lie to the northward of the bridge by which the diverted road will be carried over the said North Woolwich branch between the points "J" and "K" upon the deposited plans shall be made with a gradient not steeper than one foot in thirty feet ;
- (3) The diverted road between the said points "J" and the point "H" on the deposited plans shall be made with a gradient not steeper than one foot in thirty feet ;
- (4) The gradient of the diverted road between the points "K" and "L" upon the said plans shall be not steeper than one foot in twenty feet ;
- (5) The gradient of the diverted road between the points "K" and "G" upon the said plans shall be not steeper than one foot in thirty feet ;
- (6) The diverted road to be made in substitution for the Manor Road shall be constructed to the reasonable satisfaction of the surveyor of the local board and shall except at the point at which the same will be carried under the London Tilbury and Southend Railway be made throughout of the width of thirty feet at least between the fences thereof ;
- (7) The Company shall use their best endeavours to obtain the consent of the London Tilbury and Southend Railway Company to the widening on its eastern side of the bridge by which their railway is carried over the said North Woolwich branch so as to admit of the diverted Manor Road being made under the London Tilbury and Southend Railway of the width of thirty feet or in the event hereinafter mentioned in sub-paragraph 8 of the width of forty feet and if the London Tilbury and Southend Railway Company so consent the Company shall widen the said bridge accordingly and shall make the diverted road under

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the same of the width of thirty feet or forty feet as the case may be so that the same may be of the same width throughout. If the London Tilbury and Southend Railway Company do not consent to the widening of the said bridge the Company in their next application to Parliament for general powers but in any event not later than three years after the passing of this Act shall apply to Parliament for powers to widen the said bridge for the purposes and in manner aforesaid ;

(8) If within twelve months after the passing of this Act the local board give notice in writing under their common seal to the Company that they are desirous that the diverted Manor Road shall be made throughout of the width of forty feet instead of the width of thirty feet and shall pay to the Company or secure to their satisfaction the payment of the extra cost occasioned by the making of the road and the bridges of such greater width the Company shall subject to the provisions of sub-paragraph 7 of this section make the diverted Manor Road of the width throughout of 40 feet accordingly ;

(E) Except where the existing lines of rails of the Company's North Woolwich Branch Railway cross the sewer vested in the local board at Star Lane in the parish of West Ham and then only as in this Act herein-after expressly provided the Company shall not except with the consent of the local board lay any line or lines of rails nearer to the sewer on the east side of and parallel to the said branch railway and vested in the local board than four feet six inches from the western side of the existing eastern boundary fence of the North Woolwich branch anything in this Act or in any Act incorporated herewith to the contrary notwithstanding and the Company shall not construct any bank or other works over such sewer unless and until in lieu of such sewer the Company shall have constructed at their own cost and expense (as they are hereby empowered to do) under the supervision of the surveyor to the local board for the time being a new and sufficient sewer or other works (if such new and sufficient sewer or other works be reasonably required having reference to all the circumstances of the case) in a site and manner and to an extent reasonably satisfactory to such surveyor and shall have paid all costs and charges connected therewith and shall have at the cost and expense of the Company in all things caused the said new sewer or other works to become vested in the local board and the said local board or their officers shall at all times have full access free of charge to such sewer or other works through and over the lands belonging to

the Company through or upon which any such sewer or other works may be constructed for the purpose of cleansing repairing altering or forming connexions therewith;

- (f) Wherever any railway or other work by this Act authorised shall cross any sewer vested in or subject to the supervision or control of the local board every such railway or work over such sewer and to such extent on either side thereof as the surveyor to the local board for the time being shall reasonably require shall be constructed and maintained by the Company at their own cost in a manner and of materials reasonably satisfactory to such surveyor;
- (g) The Company shall be liable to pay and shall pay to the local board any damages penalties costs charges or expenses which the local board may become liable to pay or shall have paid in respect of any injury loss or damage to any sewers or other drainage works of the local board consequent upon or arising from the execution by the Company of any works under the authority of this Act (whether such injury or loss occurs either during or after the construction or in effecting the maintenance alteration or repairing of such works) or in or by the enjoyment or user thereof and all moneys paid by the local board on account of any such damages penalties costs charges or expenses shall be repaid to the local board by the Company on demand and in default thereof may be recovered by the local board from the Company as any simple contract debt of like amount;
- (h) If any difference arise between the Company and the local board as to any matter or thing contained in this section the same shall be determined by arbitration in manner prescribed by the Railway Companies Arbitration Act 1859 and for the purposes of the said arbitration the said local board shall be deemed to be a railway company.

22 & 23 Vict.
c. 59.

38. For the protection of the school board for the district of the parish of West Ham in the county of Essex the following provisions shall apply that is to say:—

For protection of West Ham school board.

If the Company require the lands or buildings of the Stratford British Boys' School or any part thereof for the purposes of the widening and improvement of the Company's North Woolwich Branch Railway by this Act authorised then notwithstanding anything contained in this Act or any Act incorporated herewith to the contrary the Company shall (unless they and the said Board shall otherwise agree) take the whole of the lands and buildings now used by the said board for the purposes of the said school and the amount of compensation which by

A.D. 1882.

reason of the exercise by the Company of the powers contained in this Act or any Act incorporated therewith shall be payable to the said school board shall be determined in the event of disagreement between the said board and the Company by Sir Henry Arthur Hunt C.B. (or him failing by some other person to be agreed upon or in the event of disagreement to be appointed by the president for the time being of the Royal Institute of British Architects) who shall take into consideration the cost to which the said board may be put in obtaining another good and sufficient site to be approved by the Education Department for the purposes of such school and buildings and the cost of erecting a school and school building thereon (including all proper fittings) sufficient and suitable to be used for the purposes of the said school and also the cost to which the said board may be put in providing temporary accommodation for educating the children attending such school: Provided always that before the Company shall take acquire or enter upon any of the lands or buildings of the said school they shall give to the said board one year's notice in writing of their intention so to do unless the said Board agree in writing under their common seal to accept a shorter notice than one year.

Company to take part only of certain lands belonging to Great Northern Railway Company.

39. Notwithstanding anything in this Act or in the deposited plans contained the Company shall not for the purposes of the diversion and improvement of the Hertford Branch Railway by this Act authorised take or acquire any land in the parish of Saint John Hertford in the county of Hertford belonging to or reputed to belong to or occupied by the Great Northern Railway Company except that which lies on the south side of the centre line of the said diversion and improvement as shown upon the deposited plans and a strip of fifteen feet in width on the northern side of the said centre line without the previous consent in writing of the Great Northern Railway Company under their common seal.

For protection of the trustees of Thomas Henry Allen Poynder.

40. Nothing in this Act shall authorise or empower the Company either temporarily or permanently to enter upon or take or use (otherwise than by agreement) more of the estate in the parish of Islington in the county of Middlesex forming or reputed to form part of the estate of Thomas Henry Allen Poynder esquire deceased than is shown upon a certain plan signed by William Pain on behalf of the trustees of the said Thomas Henry Allen Poynder and Charles Frederick Adams on behalf of the Company dated the sixteenth day of May one thousand eight hundred and eighty-two.

41. Nothing in this Act shall authorise or empower the Company either temporarily or permanently to enter upon or take or use (otherwise than by agreement) more of the Tufnell Park estate in the parish of Saint Mary Islington in the county of Middlesex than the piece of land lying on the north side of the cricket field at Tufnell Park including the north-east corner of the cricket field and also the north-east corner of the Campdale Road containing in the whole one acre and three and a half perches be the same more or less as the said pieces of land are shown on the plan signed by Edward Carleton Holmes as agent for Henry Archibald Tufnell the owner of the Tufnell Park estate and Charles Frederick Adams as agent for the Company and thereon coloured blue.

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Company not to take more of the Tufnell Park estate than shown on the plan referred to.

42. The Company shall within twelve months from the time of the passing of this Act erect across the north end of the Hudleston carriage road suitable iron gates to be under the control of the owner of the Tufnell Park estate for the time being and across the footpaths to the said carriage road suitable iron posts fifteen inches apart to admit foot passengers but not cattle sheep or pigs and for ever maintain the said gates and posts in good repair.

Company to erect gates across the Hudleston Road.

43. Subject to the provisions of this Act the Company may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections and in all respects in accordance with those plans and sections with all proper rails plates works and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are the following that is to say :—

Power to make tramways.

A tramway (No. 1) 3·90 chains or thereabouts in length in the Elm Road in the parish of Wisbech Saint Peter in the Isle of Ely in the county of Cambridge commencing by a junction with tramway No. 1 authorised by the Great Eastern Railway Act 1881 and terminating near the place where the Company's Lynn and Wisbech Railway crosses the Elm Road on the level ;

A tramway (No. 2) 4 furlongs and 5·27 chains or thereabouts in length in the parish of Wisbech Saint Peter in the Isle of Ely in the county of Cambridge commencing by a junction with tramway No. 1 authorised by this Act at the termination thereof as above described and proceeding thence along the Elm Road Little South Street and Norfolk Street West and across the open space into which the last-mentioned street Church Street Cemetery Street and Norfolk Street East lead and thence into and along Church Street and terminating at the south-eastern end of the market place of Wisbech ;

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A tramway (No. 3) 1 furlong and 7·62 chains or thereabouts in length in the parish of Wisbech Saint Peter in the Isle of Ely in the county of Cambridge commencing in Little South Street by a junction with the tramway No. 2 authorised by this Act and proceeding thence in a south-west direction into and along the Victoria Road and the Station Road leading to the Wisbech station of the Company and terminating near the entrance to the booking office of the said station.

Mode of formation of tramways.

44. Every tramway and passing place by this Act authorised to be laid upon a road or public highway shall be laid and maintained in such manner as to be on a level with the existing surface of the road or the surface of the road as proposed to be altered as shown on the deposited plans and sections as the case may be and shall be constructed on a gauge of four feet eight and a half inches and (except as herein-after mentioned) shall consist of a single pair of rails.

Certain portions of tramways to be double.

45. Between the following points the tramways shall consist of a double pair of rails that is to say :—

Tramway No. 2 in the Elm Road between two points respectively about 15 yards and 59 yards north-westward of the south-east corner of the Black Horse Inn ;

Tramway No. 2 in Little South Street between a point opposite the north-east corner of Ryan Street and a point 36 yards or thereabouts measured from opposite the said corner in a northerly direction ;

Tramway No. 2 from a point opposite the north-west corner of the northern end of the east side of Norfolk Street West and across the open space aforesaid to a point in Church Street opposite the south-easternmost corner of Saint Peter's Churchyard ;

Tramway No. 2 in the Market Place Wisbech between the termination of the tramway and a point about 25 yards measured in a southerly direction from the said termination ;

Tramway No. 3 in the Station Road between two points respectively about 30 yards and 86 yards measured in a south-westerly direction from the north-western corner of the Engineers Tavern in Victoria Road.

Applying certain provisions of the Act of 1881 to the tramways authorised by this Act.

46. The provisions of the sections of the Great Eastern Railway Act 1881 numbered 41 to 48 (both inclusive) 50 51 53 and 55 to 62 (both inclusive) shall extend and apply to the tramways by this Act authorised and to the Company with respect thereto as fully and completely as if those sections had been re-enacted in this Act with reference to the tramways by this Act authorised.

47. The Company may subject to the provisions of this Act and with the consent of the local and road authority from time to time make maintain alter and remove such crossings curves passing-places sidings loops junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways or for providing access to any premises of the Company or to or into any buildings yards or other premises near to or abutting on any street or road in which any of the tramways may be laid: Provided that in the construction of any such works no rail shall be so laid that a less space than nine feet six inches shall intervene between it and the outside of the footpath on either side of the road if the owner or owners or occupier or occupiers of the premises abutting on the place where such rail is proposed to be laid shall by writing under his or their hand addressed to the Company express his or their objection thereto.

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Power to make additional crossings &c.

48. The Company may in addition to any lands which they may purchase compulsorily under the powers of this Act for the purposes of the tramways from time to time purchase by agreement any lands which they may require for any of the purposes of their tramway undertaking including among such purposes the widening or improving of any street or road in which any of the tramways may be laid not exceeding in the whole two acres and the Company may erect on any such lands such suitable buildings as they think necessary for the purposes of their tramway undertaking.

Power to purchase lands by agreement, &c.

49. The Company may subject to the provisions of this Act work and use the tramways for passengers and goods by locomotive engines or other mechanical power or horse power.

Power to use locomotives &c.

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

Notice to be given of taking houses of labouring classes.

51. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of a house which the Company are by this Act authorised to acquire the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person: Provided always that if any question shall arise as to the sufficiency

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

A.D. 1882. of such accommodation the same shall be determined by a justice and the Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase lands by agreement and may on any such lands erect labouring-class dwellings and may let or otherwise dispose of such lands.

Power to take easements &c. by agreement.

52. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or re-lease 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.

Owners may be required to sell parts only of certain lands &c.

53. And whereas in the construction of the widening and improvement of the North Woolwich Branch Railway by this Act authorised portions only of certain of the lands buildings and manufactories shown on the deposited plans may be sufficient for the purposes of the same and it may happen that such portions can be severed from the remainder of the said properties without material detriment thereto therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands buildings and manufactories described in the Schedule to this Act and whereof parts only are required for the purposes of this Act may (if such portions can in the judgment of the jury arbitrators or other authority assessing or determining the compensation under that Act be severed from such properties without material detriment thereto) be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Penalty imposed unless the railways and tramways specified are opened within the times limited or extended by this Act.

54. If the Company fail within the period limited in each case by this Act to complete any of the railways or tramways by this Act authorised or the Railway No. 2 authorised by the East Norfolk Railway Act 1879 and forming part of the western extensions or of the other railways the time of completing which is by this Act extended they shall be liable to a penalty of fifty pounds a day for every day after the expiration of the respective period so limited until the respective railway or tramway is com-

pleted and opened for public traffic or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the respective railway or tramway not completed and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 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 and with the privity of Her Majesty's Paymaster-General on behalf of the Chancery Division of the High Court of Justice in the bank specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the railway or tramway 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.

A.D. 1882.

17 & 18 Vict.
c. 31.

55. Every sum of money so recovered by way of penalty for the non-completion of any of the railways or tramways by this Act authorised or of the railways the time for completing which is by this Act extended or of the western extensions authorised by the East Norfolk Railway Act 1879 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 the respective railway or tramway 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

Application
of penalty.

A.D. 1882. Exchequer in such manner as the Chancery Division of the High Court of Justice thinks fit to order on the application of the Solicitor of Her Majesty's Treasury and shall be carried to and form part of the Consolidated Fund of the United Kingdom or in the discretion of the Chancery Division of the said Court if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed shall wholly or in part be paid or transferred to such receiver or to the liquidator or to liquidators of the Company or be otherwise applied as part of the assets of the Company for the benefit of the creditors thereof.

Period for completion of works.

56. If the railways works and tramways by this Act authorised are not completed as regards the railways and works (other than the tramways) within five years and as regards the tramways within two years from the passing of this Act then on the expiration of those periods respectively the powers by this Act granted to the Company for making and completing the said railways works or tramways as the case may be or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Tolls.

57. The railways and the widenings improvements and diversions of railways belonging to the Company and the tramways which the Company are by this Act authorised to make execute and maintain and the new lines of railway and works for the diversions and improvements which the Company are by this Act authorised to make shall subject to the provisions of this Act be in respect of tolls and all other respects part of the undertaking of the Company.

Certain railway to be abandoned.

58. The Company shall abandon the construction of the railway authorised by section 6 of the Great Eastern Railway Act 1877.

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

59. The abandonment by the Company under the authority of this Act of the said railway shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 and the Great Eastern Railway Act 1877 or either of them.

60. 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 the railway 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.

A.D. 1882.
Compensation to be made in respect of portions of railway abandoned.

61. The powers 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.

Period for compulsory purchase of land.

62. The powers granted to the Company by the Great Eastern Railway Act 1879 for the compulsory purchase and taking of the lands in this section after mentioned may be exercised at any time within but shall not be exercised after the expiration of two years from the passing of this Act (that is to say):—

Extending periods limited by previous Acts for purchase of lands.

- (A) The lands required for the widening and the alteration of the bridge in the parish of Saint Ives in the county of Huntingdon authorised by section 8 sub-section K of the said Act;
- (B) The lands in the said parish of Saint Ives authorised to be taken by section 32 of the said Act; and
- (C) The lands required to be taken for the purposes of the railway in the parish of Thorpe Saint Andrew in the county of Norfolk authorised by section 7 sub-section D of the said Act.

63. The period limited by the East Norfolk Railway Act 1879 for the completion of the railway in the county of Norfolk authorised by section 4 sub-section D of that Act (being the railway No. 2 forming part of the western extensions) and the period limited for the completion of the works authorised by section 8 sub-section K of the Great Eastern Railway Act 1879 are hereby extended for the period of three years to be computed in each case from the period now limited for the completion of the respective works and railway (that is to say) as regards the said railway authorised by the East Norfolk Railway Act 1879 from the third day of July one thousand eight hundred and eighty-two and as regards the said works authorised by the Great Eastern Railway Act 1879 from the twenty-first day of July one thousand eight hundred and eighty-four.

Extending periods limited by former Acts for completion of certain works.

A.D. 1882.

Power to
Company to
take addi-
tional lands.

64. In addition to the other lands authorised by this Act to be taken the Company may enter upon take and use for the several purposes herein-after expressed the lands herein-after mentioned and shown on the deposited plans and described in the deposited books of reference (that is to say) :—

(A) For the purposes of the enlargement and improvement of the Liverpool Street Station of the Company certain lands houses and buildings in the parish of Saint Botolph Bishopsgate in the city of London the liberty of Norton Folgate and the parish of Saint Leonard's Shoreditch in the county of Middlesex or some or one of them adjoining and on the east side of the said Liverpool Street Station and bounded on the south by Liverpool Street and on the north by Worship Street ;

(B) For station siding or other accommodation and for the general purposes of the Company's undertaking the lands shown on the deposited plans and described in the deposited books of reference situate in the parishes and extra-parochial places of Enfield Tottenham Hornsey Saint Pancras and Saint Mary Islington in the county of Middlesex Outney Common in the county of Suffolk Wisbech Saint Peter Ely Trinity and Downham in the Isle of Ely and county of Cambridge Saint Andrew-the-Less otherwise Barnwell in the county of Cambridge West Ham Woodford Lawford Upminster and Hornchurch in the county of Essex West Mill in the county of Hertford and Terrington Saint Clement West Walton and Tivetshall Saint Margaret's in the county of Norfolk ;

Provided that nothing in this Act shall authorise the Company to take or acquire more than one acre and twenty-five perches of the common or commonable lands known as Outney Common aforesaid : Provided further that before the Company stop up any part of Half Moon Street Farrar's Rents Bishopsgate Buildings Angel Alley and Acorn Street in the said parish of Saint Botolph Bishopsgate they shall at their own expense and on property to be purchased by them in the said parish under the compulsory powers of purchase conferred by this Act and notwithstanding anything shown on the deposited plans to the contrary connect the ends of Half Moon Street Farrar's Rents and Bishopsgate Buildings and the ends of Angel Alley and Acorn Street where they will adjoin the eastern side of Liverpool Street Station when enlarged under the powers of this Act by passage-ways of at least ten feet each in width and the ends of Acorn Street and Skinner Street where they will adjoin the said eastern side of Liverpool Street Station by a roadway of at least the same width as the present roadway between Acorn Street and Skinner Street and when the said passage-ways and roadway are completed the Company shall be empowered to stop up and cause to be discontinued as public thoroughfares so much of each of

the following streets and places namely Half Moon Street Farrar's Rents Bishopsgate Buildings Angel Alley Acorn Street and Skinner Street as may be situate between the said passage-ways and roadway and the Company's existing Liverpool Street Station and may appropriate the sites thereof for the purposes of their works. The said passage-ways shall be flagged and the said roadway flagged or paved to the satisfaction of the engineer to the Commissioners of Sewers of the city of London and shall be dedicated to the use of the public when and as soon as they are completed.

And the Company may apply their funds or moneys and any money by this Act authorised to be raised in the construction of stations sidings buildings and other works and conveniences on the lands in this section mentioned or any of them or any part or parts thereof respectively.

65. The Great Northern and Great Eastern joint committee may take under the powers of this Act for stations sidings and other purposes the lands shown on the deposited plans and described in the deposited books of reference in the parish of Chatteris in the Isle of Ely in the county of Cambridge.

Power to Great Northern and Great Eastern joint committee to take additional lands.

66. The Company may hold enjoy and maintain as part of their undertaking the hotels now belonging to or held or in course of construction by them or which they are authorised to erect under the provisions of any previous Act at Harwich at the Stour Quay authorised by section 8 of the Great Eastern Railway Act 1874 at Cromer and at Liverpool Street and they may erect provide complete and maintain as part of their undertaking at or connected with any station on any railway owned or worked by them either solely or jointly with any other company refreshment rooms or any other like accommodation. They may furnish stock and equip such hotels and refreshment rooms and manage and conduct the business thereof and may employ officers managers and servants therein or in connexion therewith and the officer or manager of any such hotel or refreshment room designated as such by the Company shall be deemed to be the real resident holder and occupier thereof and they may acquire by agreement and hold lands for those purposes and for any of those purposes to which capital is properly applicable they may apply their funds and revenues and any moneys by this Act authorised to be raised for those purposes or any of them. The expenditure already incurred by the Company in or about any of the before-mentioned purposes is hereby sanctioned and confirmed. The Company may let on lease or otherwise any hotel refreshment room or any other like accommodation so provided by them as aforesaid (but as regards any refreshment room not for any period exceeding five years) and may agree with any owners or lessees of lands and buildings adjoining

Company may provide hotel accommodation.

37 & 38 Vict. c. cxxviii.

A.D. 1882. — any station of the Company or lands belonging to the Company for the use and appropriation of any lands or buildings for the purposes aforesaid.

Authorising issue of balance of 700,000*l.* preference stock created under Act of 1881.

67. The Company may at any time after the passing of this Act and from time to time issue the balance of one hundred and twenty-five thousand pounds remaining unissued of the preference stock of seven hundred thousand pounds created by them under the powers of section 100 of the Great Eastern Railway Act 1881 and may apply the same or any part thereof to any purposes of this Act or any other purposes of their undertaking to which capital is properly applicable.

Power to borrow on mortgage.

68. The Company may in respect of the said sum of one hundred and twenty-five thousand pounds which remains unissued of the preference stock of seven hundred thousand pounds created by them under section 100 of the Great Eastern Railway Act 1881 borrow on mortgage in addition to any other sums authorised to be borrowed by this or any other Act any sum not exceeding forty-one thousand six hundred and sixty-six pounds but no such borrowing power shall be exercised by the Company until they shall prove to the justice who is to certify under section 40 of the Companies Clauses Consolidation Act 1845 before he so certifies that the whole of the residue of such capital has been issued and accepted and that stock for one half of such residue of capital is fully paid up and that such capital was issued *bonâ fide* and is held by the persons or corporations to whom the same was issued or their executors administrators successors or assigns and 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 proof aforesaid has been given which shall be sufficient evidence thereof.

For payment to the Company of deposit under 42 & 43 Vict. c. lxi.

69. Subject to the provisions of section 18 of the East Norfolk Railway Act 1879 with respect to compensation to landowners and other persons injuriously affected and for protection of creditors the Chancery Division of the High Court of Justice at any time after the passing of this Act on the application either of the depositors mentioned in section 17 of that Act or the majority of them or of the Company by petition in a summary way may and shall order that so much of the sum of six thousand and ten pounds nine shillings three per centum Consolidated Bank Annuities mentioned in the said section 17 and the interest or dividends (if any) on that sum as shall remain deposited and unpaid shall be transferred and paid to the Company and on such order being so made the said sum and the interest or dividends thereon shall be transferred and paid to the Company accordingly.

70. The Company may raise and apply for or towards any of the purposes of this Act or any of the purposes authorised by 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.

A.D. 1882.
Power to
apply exist-
ing funds.

71. 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 such additional sum of money as they think fit not exceeding in the whole four hundred and fifty thousand pounds for the purposes of this Act and for the general purposes of the Company and such sum of four hundred and fifty thousand pounds may be raised by the creation and issue of preference shares or stock and if so raised the nominal amount of the preference shares or stock so created shall not exceed four hundred and fifty thousand pounds or by the creation and issue of ordinary shares or stock or of ordinary shares or stock (not exceeding in the whole in nominal amount six hundred and forty thousand pounds) with dividends wholly or in part deferred or contingent upon the amount of dividend payable on the ordinary stock sufficient in nominal amount to raise the said sum of four hundred and fifty thousand pounds or in their option the Company may raise proportionate amounts of preference shares or stock or ordinary shares or stock with or without contingent or deferred dividends and any such shares or stock may be made convertible at such time and subject to such conditions as the Company may prescribe at the time of creating the same into ordinary shares or stock provided the total amount of money to be raised under this section shall not exceed four hundred and fifty 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.

Power for
Company to
raise capital
by shares or
stock.

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

73. 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.

Shares not
to be issued
until one-
fifth paid.

74. 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.

Calls.

A.D. 1882.

Power to borrow on mortgage.

75. The Company may in respect of the additional capital of four hundred and fifty 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 one hundred and fifty thousand pounds (that is to say) when one hundred and fifty thousand pounds in respect of such additional capital has been bonâ fide paid up and certified as herein-after mentioned they may borrow on mortgage any sum of money not exceeding fifty thousand pounds and a like additional sum of fifty thousand pounds when a further sum of one hundred and fifty thousand pounds making with the first mentioned one hundred and fifty thousand pounds the sum of three hundred thousand pounds has been bonâ fide paid up and certified as herein-after mentioned and when the last one hundred and fifty thousand pounds has been bonâ fide paid up and certified as herein-after mentioned they may borrow on mortgage the further sum of fifty thousand pounds but no such borrowing powers 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 or stock for raising such additional capital or some part thereof have been bonâ fide paid up to the extent in money of one hundred and fifty thousand pounds in respect of every sum of fifty thousand pounds intended to be borrowed 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.

Power to vestry and district board to subscribe.

76. The vestry of the parish of Saint Matthew Bethnal Green and the board of works for the district of Whitechapel may and shall respectively subscribe and contribute the sum of six hundred pounds each towards the expense of making and maintaining the alteration and extension herein-before described of the bridge in the county of Middlesex in the parishes of Saint Matthew Bethnal Green and Christchurch Spitalfields carrying the railway of the Company over the street or road known as Brick Lane and for that purpose may respectively apply any of their funds and revenues and any moneys from time to time in their hands or which they have power to raise.

Application of part of money arising from sale of tramways.

77. In the event of the tramways being purchased by the local authority under section 43 of the Tramways Act 1870 the Company shall apply one-fourth of the purchase money arising from such sale in reduction of the mortgage debt of the Company but no money raised by mortgage under the authority of this Act shall

prevent such purchase or sale anything herein contained to the contrary notwithstanding. A.D. 1882.

78. 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 this section shall affect any priority of the interest of any debenture stock at any time created and issued by the Company. Existing mortgages to have priority.

79. The provisions of the Great Eastern Railway Act 1881 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. Repealing provisions of Act of 1881 for appointment of a receiver.

80. 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. For appointment of a receiver.

81. 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 to the Company and shall have priority over all principal moneys secured by such mortgages. Debenture stock.

82. All money raised under this Act whether by shares stock mortgages or debenture stock shall be applied for purposes authorised by this Act or some other Act relating to the Company to which capital is properly applicable. Application of loan or share capital under Act.

83. The book tables or other document in use for the time being containing the general classification of goods carried by goods or merchandise train on the railways of the Company shall during all reasonable hours be open to the inspection of any person without the payment of any fee at every station at which goods or merchandise are received for transmission and such book tables or other document as Classification table to be open to inspection and copies to be sold.

A.D. 1882.

Terminal charges (if any) to be specified on application.

Penalty.

36 & 37 Vict. c. 48.

Saving rights of the Crown in the fore-shore.

Saving rights of the Crown.

Interest not to be paid on calls paid up.

annually revised shall be kept on sale at the principal office of the Company at a price not exceeding one shilling. The Company shall within one week after application in writing made to the secretary of the Company by any person interested in the carriage of any goods which have been or are intended to be carried over the railways render an account to the person so applying in which the charge made or claimed by the Company for the carriage of such goods shall be divided and the charge for conveyance over the railways shall be distinguished from the terminal charges if any and if any terminal charge is included in such account the nature and detail of the terminal expenses in respect of which it is made shall be specified. If the Company fail to comply with the provisions of this section they shall for each offence and in the case of a continuing offence for every day during which the offence continues be liable to a penalty not exceeding five pounds which penalty shall be recovered and applied in the same manner as penalties imposed by section 14 of the Regulation of Railways Act 1873.

84. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's Most Excellent Majesty in right of her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

85. 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 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 this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty her heirs or successors.

86. 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.

A.D. 1882.

87. 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 tramway or to execute any other work or undertaking.

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

88. Nothing in this Act contained shall exempt the Company or their undertaking from the provisions of any general Act relating to railways or tramways 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 tolls or charges or the rates for small parcels authorised by any Act relating to the Company.

Provisions as to general Railway Acts.

89. 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.

Expenses of Act.

A.D. 1882.

The SCHEDULE referred to in the foregoing Act.

DESCRIBING LANDS BUILDINGS AND MANUFACTORIES OF WHICH PORTIONS
ONLY MAY BE REQUIRED :—

Parish or Place.	Number on deposited Plans.
IMPROVEMENT OF THE NORTH WOOLWICH BRANCH RAILWAY.	
West Ham - - - - -	58
West Ham - - - - -	59
West Ham - - - - -	68
West Ham - - - - -	82

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