

[60 & 61 VICT.] *Great Eastern Railway (General Powers)* [Ch. xcv.]
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CHAPTER xcv.

An Act to confer further powers upon the Great Eastern Railway Company to authorise them to acquire the Undertakings of the Downham and Stoke Ferry Thetford and Watton and Watton and Swaffham Railway Companies and for other purposes. A.D. 1897.

[15th July 1897.]

WHEREAS it is expedient that the Great Eastern Railway Company (in this Act called "the Company") be authorised to construct the railways and other works and to purchase the additional lands herein-after described and to exercise the other powers in this Act specified :

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

And whereas by section 30 of the local Act of the seventh year of the reign of Her present Majesty Queen Victoria chapter xxxv. (herein-after referred to as "the Act of 1844") after repealing certain provisions in a former Act provision was made with reference to the conduct and management of trains at or near the crossing of a certain road by the railway at Amwell End and of the gates across the railway at such crossing :

And whereas when the widening and improvement of the Company's Ware and Hertford branch at Ware by this Act authorised is completed the recited provision contained in the Act of 1844 will be no longer necessary for the safety of the public and it is expedient that the said section 30 of that Act be repealed :

And whereas it is expedient that the time now limited for the completion by the Company of certain works herein-after described be extended as herein-after mentioned :

And whereas it is expedient that the Company be authorised to abandon the construction of the railway in the parish of Tottenham in the county of Middlesex authorised by section 5 (A) of the Great

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A.D. 1897. Eastern Railway (General Powers) Act 1890 (in this Act called
"the Act of 1890") :

And whereas it is expedient that the time limited for the sale of certain superfluous lands belonging to the Company be extended :

And whereas by the Great Eastern Railway Act 1862 the Company were empowered to redeem at par amongst other stocks their five per centum guaranteed redeemable Eastern Union stock and to raise the sum required for such redemption by the creation of new shares or stock :

And whereas of the capital which the Company were so authorised to create there remains capital to the amount of £1595 which has not been created and is not required for the purpose for which the same was so authorised to be created :

And whereas by the Mistley Thorpe and Walton Railway Act 1863 the Company were authorised to subscribe to the capital of the Mistley Thorpe and Walton Railway Company any sums not exceeding in the whole £20000 and by the Mistley Thorpe and Walton Railway Act 1865 they were empowered to raise additional capital for that purpose :

And whereas the Company have exercised such powers of subscription to the extent of £12000 only and for the purpose of such subscription have created capital to that amount leaving a balance of capital to the amount of £8000 which the Company have not created and which is not required for the purposes of such authorised subscription :

And whereas by the Tottenham and Hampstead Junction Railway Act 1866 the Company were authorised to subscribe any sum not exceeding in the whole £33333 towards the capital of the Tottenham and Hampstead Junction Railway Company and to create new capital for that purpose but that power has not been exercised by the Company :

And whereas by the Great Eastern Railway (General Powers) Act 1878 the Company were authorised to raise the sum of £30000 by shares or stock for contribution to the Ipswich Dock Tramways and the King's Lynn Dock Company and of the capital which they were so authorised to create there remains the sum of £26430 uncreated and which is not required for the purpose for which it was authorised to be created :

And whereas it is expedient that the powers of the Company to create capital for the said several sums of £1595 £8000 £33333 and £26430 amounting together to the sum of £69358 be extinguished :

And whereas the respective undertakings of the Downham and Stoke Ferry Railway Company the Thetford and Watton Railway Company and the Watton and Swaffham Railway Company are under the authority of Parliament leased to and are maintained and

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worked by the Company and it is expedient that those undertakings be transferred to and vested in the Company and that the several agreements between the Company and the said companies respectively with reference to such transfer which are set forth in the Second Third and Fourth Schedules to this Act be confirmed and made binding on the companies parties thereto respectively and that for the purposes of such transfer the Company be empowered to create further debenture stock in addition to and to form one class with their general four per centum debenture stock :

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And whereas it is expedient that the Company be empowered to apply their funds for the purposes of this Act and of any other Act relating to the Company passed during the present session and for those purposes and the general purposes of the Company to raise further money :

And whereas plans and sections of the works authorised by this Act the plans showing also the lands required for the purposes of the said works and plans of the other or additional lands which may be compulsorily taken under the powers of this Act (the plans showing also the lands already acquired by the Company and which by this Act they are enabled to hold) and books of reference to such plans respectively containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands respectively were duly deposited with the respective clerks of the peace for the counties of London Middlesex Essex Suffolk Norfolk Cambridge and Hertford and are herein-after respectively referred to as the deposited plans sections and books of reference :

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

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

1. This Act may be cited as the Great Eastern Railway (General Powers) Act 1897. Short title.

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) :— Incorporation of general enactments.

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

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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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 the shares into stock ;
The making of dividends ;
The giving of notices ; and
The provision to be made for affording access to the special Act :

And Parts I. II. and III. of the Companies Clauses Act 1863 (as amended by subsequent Acts) relating respectively to cancellation and surrender of shares to additional capital and to debenture stock :

The Lands Clauses Acts :

The Railways Clauses Consolidation Act 1845 and Parts I. II. and V. (except section 49) of the Railways Clauses Act 1863 relating respectively to construction of a railway to extension of time and to amalgamation.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression " the metropolis " means the metropolis as defined by the Metropolis Management Act 1855 ;

The expression " the Downham Company " means the Downham and Stoke Ferry Railway Company ;

The expression " the Thetford Company " means the Thetford and Watton Railway Company ;

The expression " the Watton Company " means the Watton and Swaffham Railway Company ;

The expression " superior courts " or " court of competent jurisdiction " or any other like expression in this Act or any Act wholly or partially incorporated herewith shall for the purposes of this Act 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 clerks " &c.

4. With respect to lands within the metropolis the expressions " parish clerks " and " clerks of the several parishes " in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards those parishes or places in

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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 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 and as regards those parishes in which there are no parish clerks mean the parish clerk of some adjoining parish.

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

Power to execute works shown on plans and sections.

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

(A) A railway (No. 1) wholly in the county of Essex 5 miles 7 furlongs and 7 chains or thereabouts in length commencing in the parish of Woodford by a junction with the Company's Loughton and Ongar branch railway and terminating in the parish of Ilford by a junction with the Company's Colchester main line:

(B) A railway (No. 2) wholly in the parish of Ilford aforesaid 0 miles 1 furlong and 8·70 chains or thereabouts in length commencing by a junction with the railway (No. 1) by this Act authorised in Cauliflower Lane and terminating at or near Cauliflower Bridge:

(C) A widening and improvement (No. 1) wholly in the parish of Ilford aforesaid of the Company's Colchester main line on both sides thereof commencing at a point about 1 chain eastward from the bridge carrying Cranbrook Road over the said line at Ilford Station and terminating at a point about 8 chains eastward from the bridge (known as Iron Bridge) carrying the Romford or Roman Road over the said line:

(D) A widening and improvement (No. 2) wholly in the county of Norfolk of the Company's East Norfolk line on the eastern side thereof commencing in the parish of Hoveton Saint John at or near the northern end of the passenger platforms at Wroxham Station and terminating in the parish of Worstead at or near

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the southern end of the passenger platforms at Worstead Station :

- (E) A widening and improvement (No. 3) wholly in the county of Norfolk of the Company's East Norfolk line on the eastern side thereof commencing in the parish of Worstead at a point about 8 chains northward from the northern end of the passenger platforms at Worstead Station and terminating in the parish of North Walsham at or near the goods shed at the Company's North Walsham Station :
- (F) A widening and improvement (on the deposited plans and sections called "Widening and Improvement No. 5") wholly in the parish of Ware Urban in the county of Hertford of the Company's Ware and Hertford branch on the southern side thereof commencing at a point about 3 chains eastward from the eastern end of the passenger platform at Ware Station and terminating at a point about 18 chains westward from the western end of the same platform :
- (G) A widening and alteration of Leyton Road and of the bridge by which the same is carried over the Company's Loughton and Ongar branch in the parish of Leyton in the county of Essex at or near Leyton Station for a distance of about 6 chains on the south side and of about 5 chains on the north side of the centre of the existing bridge :
- (H) An additional line or additional lines of rails to be laid under Angel Lane Stratford in the parish of West Ham and county of Essex immediately to the southward of the rails of the Company's Colchester main line now carried under the said lane :
- (I) A line or lines of rails in the parish of West Ham and county of Essex commencing at a point about 1 chain south of the south-eastern corner of the bridge carrying Manor Road over the Company's Woolwich branch railway and extending thence in a north-easterly direction for about 3 chains.

Existing
level cross-
ings may be
maintained.

6. 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 rails across and on the level of the several roads which any of the existing railways so to be widened and improved now crosses on the level and may (except as otherwise provided) construct the bridges and arches for effecting such widenings and improvements of the same height width span and dimensions as the existing bridges and arches Provided always that notwithstanding anything on the deposited sections the rate of

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inclination of the approach on each side to the level crossing of the road on the deposited plans of the widening and improvement No. 2 numbered 17 in the parish of Tunstead shall be not steeper than one foot in twenty feet and provided further that the Company shall before opening for traffic the widening and improvement No. 5 construct and for ever thereafter maintain a bridge over the whole width of the widened railway for foot passengers on or near the site of the level crossing over the railway of the road numbered on the deposited plans relating to that widening and improvement 6 in the parish of Ware Urban.

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7. The Company may make the arches of the bridges for carrying the railways or widenings authorised by this Act over the roads next herein-after mentioned of any heights and spans not less than the heights and spans herein-after mentioned in connexion therewith respectively (that is to say):—

Height and span of bridges.

Work.	No. on deposited Plans.	Parish.	Description of Road.	Height.	Span.
				Ft. In	Ft.
Widening and Improvement No. 2.	3 2	Belaugh -	} Public -	14 6	16
		Hoveton St. Peter.			
		Sloley -			
Widening and Improvement No. 3.	5 12 9	Sloley -	Public -	14 9	18
		Worstead -	Public -	13 6	15
				14 0	16

8. The Company may make the roadway over the bridges by which the following roads will be carried over the railways or widenings authorised by this Act 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.

Work.	No. on deposited Plans.	Parish.	Description of Roadway.	Width of Roadway.
				Ft.
Widening and Improvement No. 1.	2 13	Ilford -	Public -	20
		Ilford -	Public -	20
Widening and Improvement No. 3.	12	Worstead -	Public -	20

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Power to divert roads as shown on deposited plans.

9. The Company may divert the public highways referred to in the next following table in the manner shown upon the deposited plans and sections and when and as the new portion of any road is made to the satisfaction of two justices and is open for public use may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road (that is to say) :—

Work.	Parish.	No. of Road on deposited Plans.
Widening and Improvement No. 1 - -	Ilford - -	{ 17 19

And when and so soon as such portion of each of the said roads is so stopped up all rights of way over the same shall cease.

Extinguishing rights of way.

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

Compensation to be made in respect of private rights extinguished.

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

Roads not to be stopped up until substitution completed.

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

Vesting sites of roads &c. stopped up.

13. The sites and soil of so much as under the powers of this Act the Company shall stop up and discontinue for public traffic of any road or way are by this Act vested (as to so much thereof as is bounded on both sides by land of the Company) in the

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

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14. If the Company fail within the period limited by this Act to complete either of the railways by this Act authorised the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the respective railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the respective railway and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the supreme court in the bank specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the respective railway by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

Penalty imposed unless railways opened within the time limited.

15. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the respective railway or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the

Application of penalties.

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Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the railway or railways in respect of which the penalty has been incurred or any part thereof has or have been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the Company.

Period for completion of works.

16. If the works herein-before described and authorised by this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Tolls on railways &c.

17. The railways and the widenings and improvements of railways and additional lines of rails by this Act authorised shall subject to the provisions of this Act in respect of tolls rates and charges and in all other respects be deemed to form part of the undertaking of the Company.

Repeal of s. 30 of 7 Vict. c. xxxv.

18. As from the time when the widening and improvement (No. 5) by this Act authorised shall have been completed and opened for public traffic section 30 of the Act of 1844 shall be by this Act repealed but nothing in this Act shall relieve the Company from any penalty or claim which they have incurred or to which they have become liable by reason of any breach by them before the repeal made by this section takes effect of any of the provisions of the said section.

Leyton Urban District Council may contribute towards cost of bridge.

19. The Leyton Urban District Council may contribute towards the cost of the widening and alteration by this Act authorised of the bridge by which Leyton Road is carried over the Company's Loughton and Ongar branch in the parish of Leyton in the county of Essex any sum not exceeding three thousand pounds and the purposes of this section shall be deemed to be purposes of the Public Health Act 1875 and the powers of that Act shall be

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available for the purposes of this section by the said district council accordingly. A.D. 1897.

20. The Company in addition to the other lands which they are by this Act authorised to acquire may from time to time enter upon and take by compulsion or agreement and may appropriate and use for any of the extraordinary purposes mentioned in section 45 of the Railways Clauses Consolidation Act 1845 and for getting ballast and materials and any other purposes of the Company's undertaking including the making and providing stations sidings warehouses engine-sheds workshops offices coal-wharves roads minerals goods or cattle depôts the erection of houses and cottages and other works and conveniences of and in connexion with their undertaking all or any of the lands houses and buildings following delineated on the deposited plans and described in the deposited books of reference and any outstanding estates or interests in any such lands houses and buildings (that is to say):—

Power to
Company to
take addi-
tional lands.

In the county of Middlesex—

- (A) Lands and buildings in the parish of Tottenham now leased to the Company and numbered 719 on the $\frac{1}{2500}$ Ordnance map of the said parish:

In the county of Essex—

- (B) Certain lands in the parish of West Ham being the properties numbered 446 447 452 453 454 and 455 and part of the field numbered 471 on the $\frac{1}{2500}$ Ordnance map of that parish and part of the site of the occupation road on the east side of Manor Road;

- (C) A piece of land in the parish of Ilford abutting on the north side of the Company's Colchester main line and forming part of the field numbered 806 on the $\frac{1}{2500}$ Ordnance map of the said parish:

In the county of Norfolk—

- (D) A piece of land in the parish of Fornsett Saint Peter forming part of the field numbered 125 on the $\frac{1}{2500}$ Ordnance map of the said parish:

In the county of Cambridge—

- (E) Certain lands of which the Company are lessees with buildings and lines of rails thereon in the parish of Saint Andrew the Less abutting on the east side of Hill's Road opposite or nearly opposite Brookland Avenue in the borough of Cambridge.

21. And whereas in the construction of the railways widenings and improvements of railways and other works by this Act authorised

Owners may
be required
to sell parts

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only of cer-
tain build-
ings and
property.

or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may 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 other persons interested in the said houses or other buildings or manufactories described in the First Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of 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 compelled to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Purchase of
certain lands
confirmed.

22. The purchase by the Company of the lands herein-after mentioned delineated on the deposited plans and described in the deposited books of reference is hereby confirmed (that is to say) :—

In the county London—

- (A) Certain land in the parish of Saint Mary Islington now occupied by sidings of the Company in connexion with their Tufnell Park cattle depôt containing 3 acres or thereabouts and in part adjoining and on the north-west side of the said depôt :

In the county of Essex—

- (B) Certain lands in the parish of Wivenhoe lying as to part to the westward of the Company's goods sidings and as to other part to the north-westward of the River Colne and being part of the property numbered 252 on the $\frac{1}{2500}$ Ordnance map of the said parish :

In the county of Suffolk—

- (C) A piece of land in the parish of Saint Mary Stoke Ipswich abutting towards the south-west on the Company's Colchester main line and towards the north-west on the London Road and being part of the field numbered 70 on the $\frac{1}{2500}$ Ordnance map of the said parish ;
- (D) Certain lands and buildings in the parish of Lowestoft lying between Commercial Road Lowestoft and the Company's sidings at Lowestoft Station :

In the county of Cambridge—

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(E) Certain lands in the parish of Chesterton on the western side of the Company's Cambridge main line and being the property numbered 51 and part of the property numbered 50 on the $\frac{1}{2500}$ Ordnance map of the said parish:

In the county of Hertford—

(F) Certain lands and houses in the parish of Bishop's Stortford lying between London Road and the Company's sidings at Bishop's Stortford Station.

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

23. And whereas the Company require more land for the purpose of obtaining ballast for the maintenance of their railway Therefore the Company may by agreement from time to time purchase land to be used while in possession of the Company for that purpose not exceeding ten acres in addition to any quantity of lands which the Company are authorised to purchase under their existing Acts but nothing in this Act shall exempt the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land taken under the powers of this section.

Purchase by agreement of lands for ballast.

24. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to take easements &c. by agreement.

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

Lands for extraordinary purposes.

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Period for compulsory purchase of lands.

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

For the protection of the Ware Urban District Council.

27. The widening and improvement (No. 5) by this Act authorised shall be subject to the following provisions and restrictions for the protection of the Ware Urban District Council (in this section called "the council") :—

(1) Before the Company commence the construction of any part of the said widening or improvement which will interfere with any existing drain sewer main or pipe belonging to the council they shall give to the council or their clerk twenty-one days previous notice in writing of their intention to commence such work.

(2) Any alteration or substituted works affecting the council's existing sewers drains mains or pipes rendered necessary by the carrying out of the said widening and improvement shall be executed by the council unless the council shall request the Company to carry out such alteration or substituted works in which case the Company shall carry out the same but subject to the reasonable satisfaction in all things of the surveyor of the said council. Provided that in the event of difference arising between the Company and the council as to the mode of executing any such works as aforesaid the same shall be determined by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers :

(3) The Company shall pay to the council all such costs and expenses as may reasonably be incurred by the council in carrying out any such alterations or substituted works as aforesaid by reason of any interference by the Company with the existing works or property of the council.

For the protection of the Ware Gas Company.

28. For the protection of the Ware Gas Company in the county of Hertford (herein-after called "the gas company") the following provisions shall have effect (that is to say) :—

(1) Before commencing any works by this Act authorised which will in any way interfere with any gas main belonging to the gas company the Company shall deliver to the gas company plans sections and drawings of the works proposed to be executed in so far as they affect any such main with specifications in writing describing the proposed manner of executing the same and such plans drawings and specifications shall be so delivered at least twenty-one days before the commencement of any such work :

(2) In the event of the plans drawings and specifications being approved by the gas company the said works shall be executed in strict accordance therewith and to the reasonable satisfaction of the gas company provided that all works connected with the removal or alteration of any main of the gas company or involving any interference therewith shall if the gas company elect so to do be executed by the gas company with their own workmen with all reasonable speed and at the sole expense in all things of the Company: A.D. 1897.

(3) If any difference shall arise between the Company and the gas company concerning the plans sections or specifications or concerning the execution of the said works every such difference shall (unless otherwise agreed) be determined by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers.

29. For the protection of the East London Waterworks Company the following provisions shall have effect (that is to say):— For protection of the East London Waterworks Company.

(1) Before commencing any works by this Act authorised in or under any street in or under which any mains pipes plugs or other works (herein-after called "apparatus") of the East London Waterworks Company (herein-after referred to as "the water company") are situate the Company shall from time to time deliver to the water company plans and sections and a description of the works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the water company at least fourteen days before the commencement of any such work;

If it should appear to the water company that any such works will interfere with or endanger any of their apparatus or impede the supply of water the water company may give notice to the Company to lower or otherwise alter the position of such apparatus or to support the same or to substitute temporarily or otherwise other apparatus in such manner as may be considered necessary and to lay or place under any apparatus cement concrete or other like substances and any difference as to the necessity of such lowering alteration support substitution laying or placing cement concrete or other like substance shall be settled as herein-after provided and all such works shall be done and executed by and at the expense of the Company but to the reasonable satisfaction and under the superintendence of the engineer of the water company and the reasonable costs charges and expenses of such

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—

superintendence shall be paid by the 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 works so require the water company may by their own engineer or workmen do and execute such works so far as they directly interfere with or affect the apparatus of the water company and the Company shall on the completion thereof pay to the water company the reasonable expenses incurred by them in the execution thereof to be recovered against the Company in any court of competent jurisdiction :

- (2) In the event of such plans sections and descriptions so delivered to the water company as aforesaid not being objected to within fourteen days the said works shall be executed in strict accordance therewith :
- (3) The water company may if they deem fit employ watchmen or inspectors to watch and inspect the works whereby any apparatus of the water company will be interfered with or affected during their construction repair or renewal and the reasonable wages of such watchmen or inspectors shall be borne by the Company and be paid by them to the water company to be recovered against the Company in any court of competent jurisdiction :
- (4) If any interruption in the supply of water by the water company shall without their written authority be in any way occasioned by the Company or by the act or 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 a sum not exceeding ten pounds for every hour during which such interruption shall continue such sum to be recovered by the water company against the Company in any court of competent jurisdiction :
- (5) The expense of all repairs or renewals of any apparatus 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 or rendered necessary by reason of any subsidence resulting from the works of the Company whether during the construction of the railways and works or at any time thereafter shall be borne and paid by the Company and may be recovered against the Company by the water company as the case may be in any court of competent jurisdiction :

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(6) It shall be lawful for the water company their engineers workmen and others in their employ at all reasonable times when it may be necessary to enter upon the lands works and premises of the Company at any point or place where there are existing any apparatus of the water company and to do all such works as may be necessary for repairing maintaining or removing or replacing or extending such apparatus under or over the same lands and premises Provided always that in so doing the water company shall not interrupt the user of any of the works by this Act authorised And provided also that the water company shall make good and reimburse to the Company all damages to the works by this Act authorised occasioned by the exercise of the powers by this section reserved the amount of such damages to be recoverable by the Company in any court of competent jurisdiction:

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(7) If any difference shall arise with respect to any matter under this section between the Company and the water company or their respective engineers the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the costs of such arbitration shall be borne and paid as the arbitrator shall direct.

30.—(1) And whereas in the execution of the works by this Act authorised the mains and other works belonging to the South Essex Waterworks Company (herein-after referred to as "the water company") may be intersected or otherwise interfered with and it is expedient that such provision should be made as is herein-after contained for providing against the supply of water being impeded Therefore all works matters or things which the Company may be empowered or required to do and exercise with reference to the mains or other works of the water company shall be done or executed by and at the cost of the Company to the reasonable satisfaction and under the superintendence of the engineer for the time being of the water company and such works matters or things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the water company.

For the protection of the South Essex Waterworks Company.

(2) It shall be lawful for the water company by their engineer workmen and others in their employment at all times when it may be necessary but under the superintendence and subject to the control in all respects of the engineer for the time being of the Company to enter upon the railway lands and premises of the Company to do all such works in and upon such railway lands or

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A.D. 1897. premises as may be necessary for laying repairing maintaining or removing or replacing any mains or pipes under or over the same railway lands and premises Provided always that in so doing the water company or their engineer or workmen or contractors or others in their employment shall not interrupt the traffic passing on the said railway or any of the Company's railways And provided also that the water company shall make good and reimburse to the Company all damages to the railways or any of the railways and works of the Company occasioned by the exercise of the power by this section reserved.

(3) In every case in which the works of the Company shall interfere with the mains of the water company the Company shall give every reasonable facility for provision being made when required by and at the expense of the water company so as to allow such mains to be replaced by mains of a larger size and enable the water company to supply the increasing demands of the public and if any difference shall arise between such engineer and the Company as to the extent of such facility the same shall be settled by an engineer to be appointed by the President of the Institution of Civil Engineers at the request of either company.

(4) 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 either of them the Company shall forfeit and pay to the water company the sum of five 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.

(5) The expense of all repairs or renewals of the said pipes or mains 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 and 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.

For the protection of the Buckhurst Hill Urban District Council.

31. For the protection of the Buckhurst Hill Urban District Council (in this section referred to as "the district council") the following provisions shall (unless otherwise agreed on in writing between the district council and the Company) be binding upon the Company and full effect shall be given thereto namely:—

(1) The arch of the bridge to be constructed by the Company for carrying the railway over the River Roding in the urban

district of Buckhurst Hill shall have a clear span of not less than 29 feet: A.D. 1897.

- (2) The Company shall construct a bridge 10 feet high and with a clear span of 25 feet in the urban district of Buckhurst Hill and on the westerly side of and to adjoin the bridge referred to in subsection (1) of this section:
- (3) The Company shall reduce by a depth of 18 inches the present level of the land underneath the said arch of 25 feet span (except the portion thereof to be used as a footpath) for the distance of 25 yards from the face of the last-mentioned arch on either side thereof the site of the land so to be levelled to be of a gradually decreasing width on both sides from the said bridge to the River Roding and the Company shall pave the land under the said arch (other than the portion to be used for a footpath) and for a distance of 10 feet and a width of 21 feet on either side of the said arch to the reasonable satisfaction of the surveyor of the district council:
- (4) The Company may stop up the existing public bridle path and public footpath leading from the River Roding to Little Monkams for a distance of 300 yards or thereabouts measured in a westerly direction from the centre of the River Roding and the footpath leading from the River Roding to Buckhurst Hill for a distance of 80 yards or thereabouts measured in a north-westerly direction from the centre of the River Roding and in lieu thereof may make one bridle path or footpath of the width of 8 feet such proposed new bridle path or footpath to commence at the spot where the existing bridleway crosses the River Roding on the west side thereof and pass thence to the west of the footbridge which crosses the River Roding to and through the arch of 25 feet span thence in a north-westerly direction for a distance of 26 yards or thereabouts and thence south-westerly in a straight line terminating at a spot in Squirrels Lane nearly opposite the ditch dividing the properties numbered 5 and 6 on the deposited plans in the parish of Buckhurst Hill And the Company shall make up and gravel such proposed new bridle path and path to the reasonable satisfaction of the surveyor of the district council provided that where the proposed footpath shall pass under the bridge of 25 feet span the same shall be raised 6 inches above the present level of the ground there and the Company shall pave the same under the said bridge and for a distance of 10 feet and a width of 4 feet on either side thereof to the reasonable satisfaction of the surveyor of the district council:

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(5) The Company shall not commence any of the works mentioned in this section until they shall have given to the district council twenty-one days notice in writing of their intention to commence the same by leaving such notice at the office of the district council with plans elevations and sections Provided that if the district council shall not approve or disapprove the said plans elevations and sections within twenty-one days after they are submitted to them they shall be deemed to have approved the same and any difference which may arise between the Company and the district council as to the said plans elevations and sections shall be determined by arbitration in manner herein-after provided And the Company shall comply with and conform to all reasonable directions and regulations of the district council in the execution of the said works and the subsequent maintenance of such parts thereof as shall have been paved and save harmless the district council against all and every expense to be occasioned thereby and all the works to be done under this section shall be done to the reasonable satisfaction of the surveyor of the district council at the cost charges and expenses in all respects of the Company and all costs charges and expenses which the district council 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 district council by the Company on demand :

(6) If any difference shall arise between the district council and the Company with reference to any of the matters in this section mentioned the same shall be referred to an engineer to be agreed upon or in default of agreement to be appointed at the request of either the Company or the district council by the President for the time being of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protec-
tion of the
West Ham
Corporation.

32. For the protection of the mayor aldermen and burgesses of the county borough of West Ham (in this section referred to respectively as "the corporation" and "the borough") the following provisions shall have effect unless otherwise agreed in writing between the Company and the corporation :—

(1) The Company shall not under the powers of this Act execute any works upon the lands described in subsection (B) of the section of this Act of which the marginal note is "Power to Company to take additional lands" which would stop up the roads in the parish of West Ham known as Grange Road and

the new roads adjoining at present unnamed shown on the deposited plans within the limits of deviation nor shall the Company be entitled in any way to obstruct or interfere with the thoroughfare along or access to the said roads or any or either of them or any part of any or either of them except in accordance with the following provisions (that is to say) :—

- (A) Fourteen days before commencing the execution of any such works the Company shall serve a plan upon the corporation showing so much of the works (if any) as may affect such roads and shall upon being required to do so give the corporation any such further information relating thereto as they may desire ;
 - (B) If within the said period after the service of the plan the corporation serves upon the Company a notice disapproving of the said plan the plan of the works shall be settled by arbitration in manner herein-after provided but if no such notice of disapproval is so served by the corporation within the said period the plan served by the Company shall be deemed to be approved by the corporation ;
 - (c) Where any plan has been so deemed to be approved by the corporation or has been settled by arbitration the Company may proceed to execute the works therein described in accordance therewith :
- (2) Where any of the intended works to be done under or by virtue of this Act shall or may pass under or over or by the side of or so as to interfere with any river sewer drain water-course river wall defence or work under the jurisdiction or control of the corporation or may in any way affect the drainage of the borough or district under their control the Company shall not commence such works until they have given to the corporation fourteen days notice in writing of their intention to commence the same by leaving such notice at the office of the town clerk of the borough with plans elevations sections and other necessary particulars of the construction of the said works and until the corporation shall have signified their approval of the same unless the corporation 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 Corporation in the execution and subsequent maintenance of the said works and shall provide by new altered or substituted works in such manner as the

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corporation may deem necessary for the proper protection of and for preventing injury or impediment to the rivers drains sewers watercourses river walls defences 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 corporation against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction supervision and control of the surveyor engineer or other officer or officers of the corporation as the case may be at the reasonable costs charges and expenses in all respects of the Company and all costs charges and expenses which the corporation may be put to by reason of the works of the Company whether in the execution of works the examination of plans or designs or the superintendence by the officers of the corporation shall be paid to the corporation by the Company on demand and when any new 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 so far as they are on the land of the Company be maintained at the expense of the Company to the reasonable satisfaction of the surveyor or engineer for the time being to the corporation and the said works shall be as fully and completely under the direction superintendence and control of the corporation as any sewers and 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 corporation 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 arbitration in manner next herein-after provided:

- (3) If any difference shall arise between the corporation and the Company touching this section or anything to be done or not to be done hereunder and where any matter is by this section to be determined by arbitration such difference or matter shall be referred to and settled by an arbitrator to be appointed as occasion arises on the application of either party by the President for the time being of the Institution of Civil Engineers whose decision shall be final.

For the
protection
of the

33. With reference to the works authorised by this Act the following provisions shall have effect for the protection of the

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Ilford Urban District Council (herein-after called "the council")
unless otherwise agreed in writing between the council and the
Company (that is to say):—

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Ilford Urban
District
Council.

- (1) The bridge by which Railway No. 1 is to be carried over the New North Road and the Forest Road numbered respectively 7 and 16 on the deposited plans in the parish of Ilford shall in each case have a span of not less than 40 feet:
- (2) The Company shall be at liberty to stop up so much of the footpath in the field numbered 50 on the deposited plans in the parish of Ilford as shall be required for the construction of Railway No. 1 and in lieu of the portion so stopped up shall construct a footbridge over the railway not less than 6 feet in width as nearly as practicable on the site of the said footpath:
- (3) The gradients of the roads numbered 45 and 48 on the deposited plans in the parish of Ilford for Railway No. 1 and the road numbered 53 on the deposited plans in the parish of Ilford for Railways No. 1 and No. 2 shall in no case be steeper than 1 in 30:
- (4) The footpath in the field numbered 19 on the deposited plans in the parish of Ilford for Railway No. 1 shall be diverted and carried under the railway by means of a tunnel with a headway of not less than 8 feet and a width of not less than 5 feet and the footpath may be lowered so as to give the necessary headway and the approaches thereto shall be made as easy as practicable:
- (5) The footpath at Chase Lane numbered 40 on the deposited plans in the parish of Ilford for Railway No. 1 shall be diverted and carried over the railway by means of a footbridge of not less width than 6 feet:
- (6) In carrying out the widening and improvement No. 1 of the Company's Colchester main line where it passes under the road numbered 2 on the deposited plans in the parish of Ilford the Company shall so reconstruct the bridge carrying such road over the said main line as to give a width of not less than 35 feet between the parapets:
- (7) In carrying out the widening and improvement No. 1 of the Company's Colchester main line where it passes under the road numbered 13 on the deposited plans in the parish of Ilford the Company shall so reconstruct the bridge carrying such road over the said main line as to give a width of not less than 30 feet between the parapets Provided that if the council require the Company to construct such bridge of the width of 40 feet instead of 30 feet and shall give the Company notice

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to that effect within 14 days after receiving notice from the Company of their intention to proceed with the construction of the said bridge the Company shall construct the same of the width of 40 feet between the parapets accordingly and the council shall pay to the Company or secure to their satisfaction any additional cost whether in the construction of the said bridge or otherwise to which the Company may be put by reason of the said bridge being constructed of the width of 40 feet :

- (8) If the Company stop up any portion of the lane numbered 32 on the deposited plans in the parish of Ilford for the widening and improvement No. 1 they shall substitute for so much thereof as they shall stop up another way of like width and as nearly as possible parallel to the site so stopped up :
- (9) The Company shall if required by the council so to do erect two gas lamps on the existing footbridge numbered 6 on the deposited plans in the parish of Ilford for the widening and improvement No. 1 in such positions as the council may require and the same shall be thereafter maintained and lighted at the expense of the council :
- (10) The culvert numbered 10 on the deposited plans in the parish of Ilford shall be extended under the widening and improvement No. 1 and the extension shall be similar in size and construction to the existing culvert under the railway :
- (11) If within fourteen days after the Company shall have given notice in writing to the council that they intend to divert Gosling Lane the council shall signify to the Company that they are desirous that the diverted Gosling Lane should be made throughout of the width of 40 feet instead of the width of 20 feet and shall pay to the Company or secure to their satisfaction the payment of the extra cost which may be incurred by the construction of the diverted Gosling Lane of such greater width the Company shall construct the same of a width of 40 feet accordingly :
- (12) The gradient of the Romford Road on the north side of the Company's Colchester main line shall when diverted be uniform from the eastern limit of deviation shown on the deposited plans to the centre of the bridge proposed to be constructed for carrying the said road when diverted over the Company's Colchester main line :
- (13) Any difference that may arise between the council and the Company under this section shall be determined by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers.

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34. 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 Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby 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.

A.D. 1897.
—
Saving
rights of
the Crown.

35.—(1) The Company shall not under the powers of this Act or under the powers of any former Act extended by this Act or by this Act transferred to the Company purchase or acquire in any parish within the metropolis twenty or more houses or in any other city borough or urban district or outside the metropolis in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December next before the passing of this Act or of the respective former Act by which such purchase or acquisition was originally authorised as the case may be were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

Restrictions
on displacing
persons of
labouring
class.

(A) Shall have obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the respective fifteenth day of December aforesaid or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) Shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this

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A.D. 1897. section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the said Secretary of State or the Local Government Board (as the case may be) out of the High Court.

(5) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may be) by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

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(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he or they may see fit.

(8) All buildings erected or provided by the Company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 (Local) and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts.

(9) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(10) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which he or they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(11) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this

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A.D. 1897. section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector. .

(12.) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(13) Any houses on any of the lands shown on the plans deposited with reference to this Act or to any former Act the powers of which are extended by this Act occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the said Secretary of State or the Local Government Board (as the case may be) under the powers of any previous Act relating to the Company shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the said Secretary of State or the Local Government Board (as the case may be) is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate.

(14) For the purposes of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

36. The period limited for the completion of—

(A) The widening and improvement authorised by section 5 (j) of the Act of 1890 of the Company's Felixstowe Railway the

Extending
time for
completion
of works

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time for the completion of which was extended by the Great Eastern Railway (General Powers) Act 1895; is hereby further extended for a period of two years from the twenty-fifth day of July one thousand eight hundred and ninety-eight And the periods limited for the completion of—

A.D. 1897.
—
authorised
by former
Acts.

(B) The widening and improvement authorised by the Great Eastern Railway (New Line and Improvements at Cambridge &c.) Act 1893 of the Company's station at Cambridge;

(C) The conversion into an open cutting authorised by section 5 (L) of the Great Eastern Railway (General Powers) Act 1893 of a certain tunnel on the Company's Wells and Fakenham branch railway; and

(D) The conversion into solid embankment authorised by section 5 (M) of the last-mentioned Act of portions of a certain viaduct in the parish of East Barsham in the county of Norfolk;

are hereby respectively extended for a period of three years from the ninth day of June one thousand eight hundred and ninety-eight.

37. The Company shall abandon the construction of the railway in the parish of Tottenham in the county of Middlesex authorised by section 5 (A) of the Act of 1890.

Company to
abandon railway
in Tottenham
authorised by
Act of 1890.

38. The abandonment by the Company under the authority of this Act of the railway mentioned in the last preceding section shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of 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 may have been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1890.

Compensa-
tion for
damage to
land by
entry &c. for
purposes
of works
abandoned.

39. 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 complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land

Compensa-
tion to be
made in
respect
of works
abandoned.

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Extending period for sale of superfluous lands.

40. The period of ten years limited by section 65 of the Great Eastern Railway (General Powers) Act 1893 for the sale of the superfluous lands first mentioned in that section is hereby extended for a period of ten years from the ninth day of June one thousand eight hundred and ninety-seven and the period of five years limited by the same section for the sale of the other superfluous lands mentioned in that section is hereby extended for a period of five years from the ninth day of June one thousand eight hundred and ninety-seven but nothing in this section shall be construed to shorten the period now allowed in that behalf by any other Act or any deed agreement or other instrument in respect of all or any part of such lands.

Extinguishing certain powers of the Company for raising capital.

41. The powers of the Company for creating capital for the four several sums amounting together to sixty-nine thousand three hundred and fifty-eight pounds as above recited are hereby extinguished.

As to superannuation scheme.

42. Whereas it is expedient that the provisions contained in sections 43 to 45 inclusive of the Great Eastern Railway (General Powers) Act 1878 (in this Act called "the Act of 1878") and the rules contained in the superannuation scheme now subsisting under that Act (herein-after called "the subsisting superannuation scheme") should be modified so as to enable the Company to increase or otherwise alter the scale or scales fixed by the subsisting superannuation scheme for payment of superannuation and other allowances to the salaried officers and salaried servants of the Company and to discontinue their contributions to the subsisting superannuation fund under the 44th section of the Act of 1878 and in lieu thereof to guarantee the payment of the allowances provided by the subsisting superannuation scheme or any modification thereof or any scheme substituted therefor under this Act in case and so far as the interest on the investments of the superannuation fund for the time being may be insufficient therefor and to enable the Company to pay off and cancel the debentures in which the existing superannuation fund is now invested and to provide for the investment of the superannuation fund in debenture stock or guaranteed or preference stock of the Company and to enable the Company to

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retain as a reserve fund for the purposes herein-after mentioned the dividends and interest arising from the investments of the superannuation fund in each year so far as such dividends and interest may not be required in each year for payment of the allowances for the time being payable under the superannuation scheme for the time being in force. Therefore the following provisions shall have effect:—

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(1) Notwithstanding anything in the subsisting superannuation scheme contained the directors of the Company may make provision for payment to their salaried officers and salaried servants and to the personal representatives or widows and children of or other persons as representing deceased salaried officers and salaried servants and to persons for the time being recipients from the said fund of superannuation and other allowances on such scale or scales and on such terms and conditions as the directors of the Company and the majority of the managing committee appointed under the Act of 1878 may agree upon and for the purpose of making such provision the subsisting superannuation scheme may be rescinded or modified in whole or in part and such other scheme substituted therefor as the directors and the said managing committee may agree upon. Provided that no rescission or modification of the subsisting superannuation scheme shall operate to diminish any allowance or benefit which the members of the subsisting superannuation fund are entitled to under the subsisting superannuation scheme and that no new or modified scheme to be hereafter agreed upon shall render the salaried officers or salaried servants of the Company liable to contribute to the superannuation fund for the time being more than two and a half per cent. of their respective salaries as fixed by the subsisting superannuation scheme notwithstanding that the scale or scales of superannuation and other allowances may be increased in such new or modified scheme:

(2) Any new or modified scheme which may be hereafter agreed upon by the directors and the said managing committee for the payment to the salaried officers and salaried servants of the Company of superannuation and other allowances on such scale or scales as aforesaid shall contain a provision that persons who may then be recipients from the superannuation fund then existing under the Act of 1878 shall be entitled as from the date on which such new or modified scheme shall come into operation but not as from any earlier date to the same benefits as if they respectively had been contributing members under such new or modified scheme from the earliest

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dates to which their respective contributions to the superannuation fund under the Act of 1878 relate and as if their respective contributions had been made under such new or modified scheme :

- (3) Notwithstanding anything to the contrary contained in the Act of 1878 or in the subsisting superannuation scheme any such new or modified scheme as aforesaid may provide (inter alia) that (1) the Company with the consent of the said managing committee shall on the first day of January one thousand eight hundred and ninety-eight or on some other date thereafter to be agreed upon discontinue their contributions to the superannuation fund and that thereupon all obligation upon the part of the Company to make any further contribution to the said fund under the Act of 1878 shall absolutely cease and determine (2) that in lieu of such contributions the Company shall guarantee payment out of their revenue as part of the working expenses of their undertaking of the superannuation and other allowances payable under such new or modified scheme as aforesaid in case and so far as the interest on the superannuation fund for the time being shall be insufficient for the purpose (3) that the Company may repay the principal moneys secured by and cancel the debentures in which the superannuation fund for the time being may be then invested (4) that the superannuation fund under any such new or modified scheme shall consist of the principal moneys and investments standing to the credit of the subsisting superannuation fund in the books of the Company on the day on which such new or modified scheme is to come into force and of the contributions of members under such new or modified scheme and the investments for the time being representing the same respectively and (5) that the Company shall retain the dividends and interest arising from the superannuation fund in each year and apply the same in or towards payment of the superannuation and other allowances becoming due in such years and shall hold the surplus (if any) of such dividends and interest as a reserve fund to meet claims against the said superannuation fund in any subsequent year or years :
- (4) Any such new or modified scheme as aforesaid shall be administered by a committee (to be called the managing committee) which shall consist of the following directors for the time being of the Company viz. the chairman the deputy chairman the chairman of the finance committee and the senior director and the following officers for the time being of the

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Company viz. the general manager the secretary the superintendent of the line and the goods manager and such committee may by a majority of its members with the consent of the directors of the Company from time to time rescind alter or add to the rules and regulations contained in such new or modified scheme and modify the conditions upon which new members may become entitled to the benefits thereof but not so as to increase the contributions or decrease the allowances to be made under such new or modified scheme as aforesaid All moneys forming part of the superannuation fund for the time being shall be invested half yearly or at such other times as may be specified in such new or modified scheme by the said managing committee in their names or in the names of any four of them in debenture stock or guaranteed or preference stock of the Company at the market price of the day of investment: A.D. 1897.

- (5) The said managing committee may from time to time regulate their own procedure and may appoint such officers and at such salaries payable out of the revenue of the Company as they may think fit:
- (6) Notwithstanding the guarantee by the Company of the superannuation and other allowances as herein-before provided for nothing in this Act contained shall affect or take away the right or power of the Company to grant out of their own proper funds superannuation allowances during sickness or other allowances to any of their salaried officers or salaried servants:
- (7) The managing committee may at their discretion where there is no legal personal representative of a deceased contributing member pay to his widow and children or either or any of such persons any sum not exceeding one hundred pounds payable in respect of the claim of such member in the said fund without requiring the receipt or discharge of a duly constituted legal personal representative of such member and the receipt in writing of the person or persons to whom such sums may be paid shall be valid and effectual against all claims on the part of such deceased contributing member against the said superannuation fund or the managing committee thereof or the Company Provided that the managing committee shall first obtain a declaration to be made by the person or persons to whom it is proposed to pay such sums (or other evidence to the satisfaction of the managing committee) that the total personal estate of the deceased contributing member does not after deduction of debts and funeral expenses exceed the value of one hundred pounds.

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Confirming
agreements
for sale to
Company
of under-
takings of
Downham
Thetford
and Watton
Companies.

Companies
to transfer
their under-
takings to
Company.

Agreements
not to affect
persons not
parties
thereto.

Sale to
entitle Com-
pany to
premises
sold.

Powers of
selling com-
pany with
respect to
premises
sold to be
exercised by
Company.

43.—(1) The agreements between the Downham Company the Thetford Company and the Watton Company respectively of the one part and the Company of the other part for amongst other things the sale and transfer to the Company of the respective undertakings of the Downham Company the Thetford Company and the Watton Company as set forth in the Second Third and Fourth Schedules respectively to this Act (herein-after referred to as “the Downham agreement” “the Thetford agreement” and “the Watton agreement”) are hereby confirmed and made binding upon the respective parties thereto and may and shall be carried into effect accordingly.

(2) In accordance with and upon and subject to the terms and conditions specified in the Downham agreement the Thetford agreement or the Watton agreement (as the case may be) the Downham Company the Thetford Company or the Watton Company (as the case may be) may and shall make to the Company and the Company may and shall accept a sale and transfer of the undertaking of the Downham Company the Thetford Company or the Watton Company as the case may be.

(3) No such sale or transfer made under the authority of this section shall in any manner alter increase or diminish any of the tolls rates or charges which the contracting companies are respectively from time to time authorised to demand and take from any other company or person but all other persons and companies shall notwithstanding any such agreement be entitled to the user and benefit of the undertaking so sold on the same terms and conditions and on payment of the same tolls fares and charges as if the agreement were not made.

(4) In accordance with the terms agreed on between the Company and the Downham Company the Thetford Company or the Watton Company (each or either of which companies is herein-after referred to as “the selling company”) for the sale or transfer the Company and their directors officers and servants respectively shall be entitled under the agreement in that behalf and from the time thereby appointed for the sale or transfer to take effect to the management regulation maintenance using working and enjoyment of the premises comprised in the respective agreement and of the traffic thereon and to the regulating taking and enjoying of the tolls fares rates charges and other payments and advantages in respect thereof.

(5) All the rights powers and privileges of the selling company and their directors officers and servants (other than powers of raising capital) which by virtue of any of the Acts relating to the selling company might be exercised and enjoyed by them respectively with respect to the premises agreed to be sold and which in

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accordance with the terms and conditions of the respective agreement or of this Act are to be exercised and enjoyed by the Company and their directors officers and servants respectively with respect to the premises agreed to be sold shall as from the time agreed on for the sale or transfer to take effect be exercised and enjoyed accordingly under and with the same regulations restrictions conditions obligations penalties and immunities in accordance with those Acts and this Act respectively as by the selling company and their directors officers and servants respectively.

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(6) In accordance with the terms and conditions of the respective agreement in that behalf entered into between the selling company and the Company all the premises thereby agreed to be sold to the Company and the rights powers privileges and authorities to be in accordance with this Act exercised and enjoyed by the Company with respect to the same shall at the time by the respective agreement appointed for the sale to take effect be by this Act and subject to the provisions of this Act transferred to and vested in the Company as part of their undertaking.

Transfer to
Company of
premises
sold.

(7) From and after the time agreed on for the respective sale or transfer to take effect the Company but subject to the provisions of the respective scheduled agreement and of this Act shall be subject to and perform conform and be liable to all contracts agreements duties obligations debts charges claims and demands whatsoever with respect to the premises agreed to be sold to which the selling company if the sale or transfer did not take effect would be subject or liable.

Company
to perform
duties of
selling com-
pany as to
property
sold.

(8) From and after the time agreed on for any such sale as aforesaid to take effect the Acts passed with respect to the selling company (but subject to the provisions of this Act with respect to the dissolution and the winding-up of the affairs of the selling company) and the provisions of any Act which confer any powers upon or otherwise relate to the selling company except provisions relating to general meetings or directors or the raising of shares or loan capital shall be read and have effect as if the same had been passed with respect to the Company instead of with respect to the selling company :

Acts of
selling com-
pany to
apply to
Company.

Provided always that the undertaking of the selling company shall for the purposes of tolls rates and charges be deemed to form part of the undertaking of the Company as if it had been part of the undertaking of the Company at the date of the passing of the Great Eastern Railway Company (Rates and Charges) Order Confirmation Act 1891.

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Selling com-
pany to
wind up
their affairs.

(9) Forthwith after any such sale the selling company shall proceed to wind up their affairs and in order thereto may sell and convey or otherwise dispose of all such parts (if any) of their property and effects as are not by or in accordance with this Act or the respective agreement vested in the Company and subject to the payment satisfaction or discharge of all the debts liabilities and engagements (if any) of the selling company not paid satisfied or discharged by the Company the selling company shall distribute and pay their net moneys to and among the several persons who at the time agreed on for the sale to take effect are the registered shareholders of the selling company in proportion to their respective shares of the capital of the selling company or their respective executors administrators successors or assigns.

Payments
into court
by selling
company.

(10) Provided that where the selling company are for the period of twelve months after the period for the distribution of their net moneys unable after diligent inquiry to ascertain the person to whom any part thereof ought to be paid or who can give an effectual receipt for the same the selling company may pay the same into the High Court under any Act from time to time in force for the relief of trustees and every such payment into court shall conclusively discharge the selling company from all further liability with respect to the net moneys so paid and for the purposes of this Act shall be deemed payment thereof to a person absolutely entitled thereto and any person afterwards showing to the satisfaction of the court that he is entitled thereto may obtain payment thereof out of court accordingly.

Dissolution
of selling
company.

(11) When all the debts liabilities and engagements of the selling company are paid satisfied or discharged and their net moneys are distributed in accordance with this Act and their affairs are wound up the selling company shall be dissolved and wholly cease to exist.

Company
to represent
dissolved
company.

(12) From and after the dissolution and except as is by this Act otherwise expressly provided the Company shall to all intents represent the selling company as if the Company and the selling company had originally been and had continued without intermission to be one and the same body corporate.

General
saving of
rights under
Acts relating
to selling
company.

(13) Notwithstanding the dissolution by this Act of the selling company or the sale and transfer to the Company of the undertaking of the selling company and except only as is by this Act or in the respective agreement otherwise expressly provided everything before the dissolution or as the case may be the sale and transfer done suffered and confirmed respectively under or by virtue of any of the Acts relating to or affecting the selling company's undertaking and every right by any of those Acts respectively saved shall be as valid

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as if the dissolution or as the case may be the sale and transfer had not happened and the dissolution or as the case may be the sale and transfer and the operation of this Act respectively shall accordingly be subject and without prejudice to everything so done suffered and confirmed and all rights so saved respectively and to all rights liabilities claims and demands both present and future which if the sale and transfer had not happened would be incident to and consequent on any and everything so done suffered and confirmed and all rights so saved respectively Provided that the generality of this provision shall not be restricted by any of the other sections and provisions of this Act.

44. The following provisions shall have effect as regards the sale and transfer to the Company of the undertaking of the Downham Company:—

Further provisions as to purchase of Downham and Stoke Ferry Railway.

(1) All the shares in the capital of the Downham Company now standing in the books of that company whether in the names or name of Lord Claud John Hamilton and Colonel William Thomas Makins or either of them or in the name of Thomas Leigh Hare are by this Act extinguished together with all dividends if any which may accrue in respect of any such shares subsequently to the said first day of July one thousand eight hundred and ninety-seven but the Company shall as soon as may be after the passing of this Act pay to the said Thomas Leigh Hare his executors or administrators or other the person entitled to the shares so standing in his name the sum of three hundred pounds:

(2) In accordance with the terms of the Downham agreement the Company shall as from the first day of July one thousand eight hundred and ninety-seven be liable for and shall pay and discharge (A) the interest upon and (as and when the same become due and payable) the principal moneys secured by the several mortgages to the nominal amount in the whole of eighteen thousand two hundred pounds granted by the Downham Company and subsisting at the passing of this Act and (B) the rentcharges amounting in the aggregate as recited in the Downham agreement to thirty-three pounds ten shillings and eleven pence per annum granted by the Downham Company as the consideration upon the sale and conveyance of lands to them unless and until the same be redeemed by the Company under the powers in that behalf of the Downham Company by this Act transferred to the Company:

(3) The directors of the Company may at any time agree with the holder or other the person entitled to the benefit of any such

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mortgage for the surrender and cancellation of such mortgage in consideration of the issue to such holder or person or his nominee in exchange for such mortgage of new four pounds per centum debenture stock of the Company of such nominal amount as may be agreed between the Company and such holder or person such new debenture stock to be in addition to and to form one class with the general four per centum debenture stock of the Company created and to be created by the Company under the powers of any Act or Acts by which they are or may be authorised to create and issue debenture stock in lieu of borrowing upon bond or mortgage and the Company may create and issue such new debenture stock accordingly :

- (4) Upon the issue of any such new debenture stock the certificate of the mortgage in exchange for which it is issued shall be delivered up to the Company and shall be cancelled by them :
- (5) The Company may apply for the purpose of redeeming any rentcharges and mortgages and for paying the sum of three hundred pounds above mentioned respectively any moneys properly applicable to capital which they have been or may be authorised to raise and which is not required for the special purposes (if any) for which the same is or may be authorised to be raised.

New debenture stock to be created for purposes of transfer of undertakings of Thetford and Watton Companies.

45. For the purposes of the sale and transfer to the Company of the undertakings of the Thetford Company and the Watton Company the Company shall as soon as conveniently may be after the passing of this Act create one hundred and twenty thousand pounds nominal amount of new four per centum debenture stock of the Company (herein-after referred to as "the new debenture stock").

The new debenture stock shall be in addition to and shall form one class with the general four per centum debenture stock for the time being of the Company created and to be created by the Company under the powers of any Act or Acts including this Act by which they are or may be authorised to create and issue debenture stock in lieu of borrowing upon bond or mortgage.

Appropriation of new debenture stock.

46. Subject to the terms and conditions of the Thetford agreement or as the case may be of the Watton agreement the new debenture stock shall be appropriated to or for the benefit of the holders of debenture stock preference stock and ordinary stock respectively of the Thetford Company or as the case may be of the Watton Company (that is to say) :—

To or for the benefit of the registered proprietors of the debenture stock of the Thetford Company for every one hundred pounds

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of such debenture stock ninety-three pounds nominal amount of the new debenture stock ;

To or for the benefit of the registered proprietors of the preference stock of the Thetford Company for every one hundred pounds of such preference stock ninety pounds eight shillings and three pence nominal amount of the new debenture stock ;

To or for the benefit of the registered proprietors of the ordinary stock of the Thetford Company for every one hundred pounds of such ordinary stock nineteen pounds nominal amount of the new debenture stock ;

To or for the benefit of the registered proprietors of the debenture stock of the Watton Company for every one hundred pounds of such debenture stock ninety-three pounds nominal amount of the new debenture stock ;

To or for the benefit of the registered proprietors of the preference stock of the Watton Company for every one hundred pounds of such preference stock eighty-three pounds nominal amount of the new debenture stock ;

To or for the benefit of the registered proprietors of the ordinary stock of the Watton Company for every one hundred pounds of such ordinary stock ten pounds two shillings and one penny of the new debenture stock ;

and so in like proportion for any greater or less sum than one hundred pounds of the respective stock and the stock so allotted shall be in exchange for and in full satisfaction of the rights of the holders of the debenture preference or ordinary stocks as the case may be of the Thetford Company and the Watton Company respectively in respect of their respective stocks of those companies respectively including all arrears of interest or dividends. Provided that in every case in which any person would under this section be entitled to any fraction of the new debenture stock of less than ten pounds nominal amount the Company may at their option pay to such person or as the case may be to the Thetford Company or to the Watton Company in lieu of such fraction of stock such a sum in cash calculated at the then market price of the new debenture stock as will represent the amount of such fraction of new debenture stock.

47. Subject to the provisions of the Thetford agreement and Watton agreement respectively the following provisions shall apply and have effect with respect to the distribution of the new debenture stock :—

Provisions
as to dis-
tribution of
new debenture
stock.

(A) Within two calendar months after the first day of July one thousand eight hundred and ninety-seven the Thetford Company

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and Watton Company respectively shall send to the Company lists giving the names and addresses of the persons registered in their books as the holders of the debenture preference and ordinary stocks of their respective companies and specifying in such lists which of those persons desire new debenture stock and which (if any) of them desire cash in lieu of stock (the persons desiring stock being hereafter designated as "the A stock holders" and the persons desiring cash as "the B stock holders"):

(B) As soon as conveniently may be after the delivery to them of the said lists the Company shall register in the names of the A stock holders of the Thetford Company and Watton Company respectively the amounts of new debenture stock to which they will be respectively entitled under the preceding section of this Act and shall register in the names of any three of the directors of the Thetford Company and Watton Company respectively (as the case may be) the amounts of new debenture stock to which the B stock holders of the respective companies may be entitled under the foregoing provisions and shall deliver to the A stock holders and such three directors respectively certificates for the new debenture stock placed in their respective names together with the amount of cash (if any) payable to them respectively in lieu of fractions of the new debenture stock. Provided that the Company shall not be bound to place any new debenture stock in the name of any A stock holder or deliver to him any certificate until he shall have delivered up to the Company to be cancelled his certificate of proprietorship of the stock for which the new debenture stock is to be exchanged or shall have proved to the satisfaction of the Company the loss or destruction thereof:

(c) The directors of the Thetford Company and Watton Company respectively shall forthwith sell any new debenture stock placed in their names and shall divide the proceeds of the sale thereof (without deducting brokerage) together with the amount of cash (if any) paid by the Company in respect of fractions of stock among the B stock holders of their respective companies in the proportions in which such stock holders would respectively have been entitled to the new debenture stock if they had not elected to take cash in lieu of stock:

(d) A receipt under the hands of three of the directors of the Thetford Company or Watton Company (as the case may be) for the certificates of new debenture stock placed in their names and for any cash paid to them shall be a sufficient discharge

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for the same stock and cash to the Company and the Company shall not be concerned to see to the application of such debenture stock or cash or of the proceeds of sale of such stock or be answerable for the misapplication or non-application thereof respectively by the directors of the Thetford Company or Watton Company (as the case may be):

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- (E) Every portion of the new debenture stock which in accordance with the respective scheduled agreement and of this Act is appropriated to proprietors of stock of the Thetford Company or as the case may be of the Watton Company and all moneys which may be paid in cash to any of such proprietors under the provisions of this Act shall be subject and liable to the same trusts powers provisions declarations agreements charges liens and encumbrances as immediately before the time of vesting affected the stock for which the same is exchanged and every deed or other instrument and every testamentary or other disposition shall take effect with reference to the whole or as the case may be a proportionate part of the stock or moneys given in exchange.

48. The Company may raise and apply for or towards any of the purposes of this Act or of any of their existing Acts or any other Act that may be passed during the present session to which capital is properly applicable any money which they are already authorised to raise and which may not be required by them for the special purposes (if any) for which that money was authorised to be raised. Provided always that when by any existing Act relating to the Company the amount which the Company may raise and apply for any specified purpose is limited nothing in this section shall authorise the Company to raise or apply for such purpose any sum beyond the amount so limited.

Power to
apply
existing
funds.

49. The Company may for the purpose of raising additional sums of money for the purposes of this Act and of any of their existing Acts and of any other Act which may be passed in the present session relating to the Company and for other purposes of their undertaking from time to time create and issue shares or stock not exceeding in the whole in nominal amount six hundred thousand pounds and such shares or stock may be either wholly or partly preference shares or preference stock or wholly or partly ordinary shares or ordinary stock and with any fixed fluctuating contingent preferential perpetual terminable deferred or other dividend or interest and with or without provision for the amalgamation of any such shares or stock with the ordinary stock for the time being of the Company. And the provisions contained in the

Power for
Company to
raise capital
by shares or
stock.

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

50. 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.

Power to borrow on mortgage.

51. The Company may in respect of the additional capital of six hundred 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 of their undertaking such sums as they think fit not exceeding in the whole two hundred thousand pounds and of that sum they may from time to time borrow not exceeding twenty thousand pounds in respect of each sixty thousand pounds of such additional capital but no part of any sum of twenty thousand pounds shall be borrowed until the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for so much of the sum of sixty thousand pounds in respect of which it is to be borrowed as is to be raised by means of shares have been issued and accepted and that not less than one half of the amount of such shares has been paid up and that not less than one fifth part of the amount of each separate share has been paid on account thereof before or at the time of the issue and acceptance thereof and that stock for so much of such sum of sixty thousand pounds as is to be raised by means of stock is fully paid up and that such shares and stock were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also as regards any such shares that such persons or corporations or 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 certificate shall be sufficient evidence thereof.

Existing mortgages to have priority.

52. All mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and existing 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

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priority of the interest of any debenture stock at any time created and issued by the Company. A.D. 1897.

53. The provisions of all former Acts relating to the Company 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 former Acts for appointment of a receiver.

54. 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.

55. The Company may create and issue debenture stock to the same nominal amount as they are by this Act authorised from time to time to borrow on mortgage subject to the provisions of Part III. of the Companies Clauses Act 1863 as amended by subsequent Acts but notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages. Debenture stock.

56. All moneys raised under this Act whether by shares stock mortgages or debenture stock shall be applied only to the purposes authorised by this Act or by any other Act or Acts relating to the Company passed or to be passed during the present or any previous session of Parliament and to the general purposes of the undertaking of the Company being in each case purposes to which capital is properly applicable. Application of capital under Act.

57. No interest or dividend shall be paid out of any share stock or loan capital which the Company are by this or any other Act authorised to raise 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. Interest not to be paid on calls paid up.

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Act, 1897.

A.D. 1897.
Deposits for
future Bills
not to be
paid out of
capital.

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

Provision as
to general
Railway
Acts.

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

Expenses of
Act.

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

[60 & 61 VICT.] *Great Eastern Railway (General Powers) [Ch. xcv.] Act, 1897.*

The SCHEDULES referred to in the foregoing Act.

A.D. 1897.

THE FIRST SCHEDULE.

DESCRIBING LANDS BUILDINGS AND PREMISES WHEREOF PORTIONS ONLY ARE REQUIRED TO BE TAKEN BY THE COMPANY.

Work.	Parish.	No. on deposited Plans.
Railway No. 1	Chigwell	11 and 15
	Ilford	56
Widening and Improvement No. 1	Ilford	8 and 28

THE SECOND SCHEDULE.

AN AGREEMENT made the third day of November 1896 between THE DOWNHAM AND STOKE FERRY RAILWAY COMPANY (herein-after called "the Stoke Ferry Company") of the one part and THE GREAT EASTERN RAILWAY COMPANY (herein-after called "the Great Eastern Company") of the other part.

WHEREAS by the Downham and Stoke Ferry Railway Act 1879 (herein-after called "the Act of 1879") the Stoke Ferry Company were incorporated and were authorised to make a railway from the Ely and Lynn Branch of the Great Eastern Railway near Denver Station to Stoke Ferry in the county of Norfolk and to raise a capital of 60,000*l.* in 6,000 shares of 10*l.* each and to borrow on mortgage 20,000*l.* :

And whereas the said railway was constructed and has for many years past been worked by the Great Eastern Company under the terms of an agreement dated the 8th day of July 1879 as modified by agreements dated respectively the 7th day of March 1881 and made respectively between the Great Eastern

[Ch. xciv.] *Great Eastern Railway (General Powers) [60 & 61 Vict.] Act, 1897.*

A.D. 1897. — Railway Company of the first part the Downham and Stoke Ferry Railway Company of the second part and John Waddell of the third part :

And whereas by the Downham and Stoke Ferry Railway Act 1883 (herein-after called "the Act of 1883") the Stoke Ferry Company were authorised to extend their railway to Gooderstone in the said county of Norfolk and to raise an additional share capital :

And whereas in pursuance of the Downham and Stoke Ferry Railway Act 1887 the proposed extension to Gooderstone was abandoned and no part of the additional share capital authorised by the Act of 1883 was ever raised :

And whereas the share and loan capital raised under the Act of 1879 and now subsisting consists of the following :—

LOAN CAPITAL.

Mortgages	-	-	-	-	-	Amount.
						£18,200

and rentcharges amounting in the aggregate to 33*l.* 10*s.* 11*d.* per annum and redeemable by the Stoke Ferry Company for the sum of 745*l.* 12*s.* 6*d.*

SHARE CAPITAL.

Number of Shares.	Nominal Amount.			Amount paid.		
	£	s.	d.	£	s.	d.
4,344 shares fully paid	43,440	0	0	43,440	0	0
1,656 shares on which 2 <i>l.</i> 6 <i>s.</i> per share paid.	16,560	0	0	3,808	16	0
	£60,000	0	0	£47,248	16	0

And whereas under the powers conferred by the Great Eastern Railway Act 1881 and the said Act of 1883 and otherwise the Great Eastern Company have at various times subscribed for and purchased shares of the Stoke Ferry Company and they now hold either in their own name or in the names or name of Lord Claud John Hamilton and Colonel William Thomas Makins or one of them the whole of the said share capital of 6,000 shares except 25 shares of 10*l.* each fully paid which now stand in the name of Thomas Leigh Hare M.P. :

And whereas the Stoke Ferry Company have as they do hereby declare acquired the freehold in fee simple of the lands which were required and have been used for the purposes of their railway and have completed all their land purchases and have discharged all debts and liabilities which have become enforceable against them prior to the date of these presents :

And whereas the Stoke Ferry Company have (subject as herein-after provided) agreed to sell their railway and undertaking to the Great Eastern Company on the terms herein-after mentioned :

Now these presents witness that it is hereby mutually agreed between the parties hereto as follows :—

1. Subject as herein-after provided the Stoke Ferry Company agree to sell and the Great Eastern Company agree to purchase as from the 1st day of July

[60 & 61 VICT.] *Great Eastern Railway (General Powers)* [Ch. xcv.]
Act, 1897.

1897 all and singular the railway and stations buildings works conveniences lands (including superfluous lands not already disposed of) easements and property real and personal and rights powers and privileges of the Stoke Ferry Company (all of which are herein-after included in the expression "the said undertaking").

A.D. 1897.
—

2. The consideration for the said sale shall be—

- (A) The taking over and discharge by the Great Eastern Company as from the said 1st July 1897 of the said mortgages and rentcharges of the Stoke Ferry Company; and
- (B) The cancellation and extinction as from the completion of the purchase of the said share capital held by or on behalf of the Great Eastern Company as aforesaid and of all rights and interests in respect thereof and of all liability of the Great Eastern Company in respect of such of the said shares as are not fully paid;
- (C) The payment by the Great Eastern Company to the said Thomas Leigh Hare M.P. of the sum of 300*l.* in cash in exchange for the 25 shares of the Stoke Ferry Company so held by him as aforesaid.

3. The Stoke Ferry Company shall bear and discharge all obligations and payments which ought to be borne and paid by them under the said agreements of the 8th day of July 1879 and 7th day of March 1881 up to the said 1st day of July 1897 and shall up to the same date be entitled to receive the sums becoming due to them under those agreements.

4. The Stoke Ferry Company shall within six calendar months from the date hereof deliver to the Great Eastern Company an abstract of their title to the said lands such abstract to commence with the several conveyances to the Stoke Ferry Company and they shall produce to the Great Eastern Company the said conveyances and all other deeds and documents in their possession relating to the said lands.

5. The purchase shall be completed within three calendar months after the Act for confirming these presents shall have received the Royal Assent and on completion of the said purchase the Stoke Ferry Company and all other necessary parties (if any) shall execute a proper conveyance for vesting the said undertaking in the Great Eastern Company and shall deliver to the Great Eastern Company all plans deeds books papers and documents whatsoever exclusively relating to the said undertaking and the common seal of the Stoke Ferry Company.

6. After the completion of the said purchase the Stoke Ferry Company shall subsist only for the purpose of winding-up their affairs and the Bill intended to be promoted as herein-after provided shall contain all proper provisions for the winding-up and dissolution of the Stoke Ferry Company.

7. On the completion of the said purchase the Great Eastern Company shall pay to Edward Stephens Copeman solicitor (the secretary of the said Stoke Ferry Company) the sum of 400*l.* making with the sum of 100*l.* already paid to him the sum of 500*l.* which sum is to be in full compensation for the loss of his appointment as secretary of the Stoke Ferry Company and in full satisfaction of the costs charges and expenses of the Stoke Ferry Company of and incident to the perusal and execution of these presents and the negotiation

[Ch. xciv.] *Great Eastern Railway (General Powers)* [60 & 61 VICT.]
Act, 1897.

A.D. 1897. of the said sale and the deducing and verifying the title to the said lands and the perusal and execution of the conveyance of the said undertaking and the completion of the said sale and the winding-up and dissolution of the Stoke Ferry Company.

8. The provisions contained in section 49 of the Railways Clauses Act 1863 shall not apply to the amalgamation hereby agreed to be effected.

9. The Stoke Ferry Company shall not after the execution of these presents without the consent in writing of the Great Eastern Company create or issue any further mortgages or debentures or renew any existing mortgages and shall not without the like consent sell or dispose of any surplus land or other property forming part of the undertaking hereby agreed to be sold.

10. This agreement is made subject to the approval of Parliament and to such alterations as either House of Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein it shall be in the option of either party to withdraw from the same and thereupon this agreement shall become void.

11. The Great Eastern Company will at their own expense in the ensuing session of Parliament (either in a Bill for general powers relating to their own undertaking or in a Bill promoted specially for this purpose) apply for and use their best endeavours to obtain the confirmation of this agreement by Parliament and the necessary powers for carrying it into effect and the Stoke Ferry Company will if required by the Great Eastern Company support the said Bill and use their best endeavours to secure the passing thereof.

In witness whereof the Stoke Ferry Company and the Great Eastern Company have caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the Downham and Stoke Ferry Railway
Company was hereunto affixed in the presence of

EDWD. S. COPEMAN
Secretary of
The Downham and Stoke Ferry
Railway Company.



The common seal of the Great Eastern Railway Company
was hereunto affixed in the presence of

T. D. GENLLOUD
Secretary.



THE THIRD SCHEDULE.

A.D. 1897.

THIS AGREEMENT made the fourth day of December 1896 between THE THETFORD AND WATTON RAILWAY COMPANY (herein-after called "the Thetford Company") of the one part and THE GREAT EASTERN RAILWAY COMPANY (herein-after called "the Great Eastern Company") of the other part.

WHEREAS under the powers of the Thetford and Watton Railway Act 1866 and the Thetford and Watton Railway Extension Railway Act 1873 the Thetford Company constructed certain railways in the county of Norfolk therein particularly described and under the powers of those Acts and the Thetford and Watton Railway Additional Capital Certificate 1877 (being a certificate made and issued by the Board of Trade under the Railway Companies Powers Act 1864) the Thetford Company raised a share and loan capital which now consists of the following particulars:—

	Nominal Amount.
(1) Debenture stock bearing interest at 4. per cent. per annum (herein-after called "Thetford debenture stock") -	£ 26,300
(2) 5 per cent. preference stock (herein-after called "Thetford preference stock") - - - - -	34,000.
(3) Ordinary stock (herein-after called "Thetford ordinary stock") - - - - -	45,000

And whereas by Articles of Agreement made the 1st day of August 1879 between the Thetford Company of the first part the Watton and Swaffham Railway Company of the second part and the Great Eastern Company of the third part the undertaking of the Thetford Company as therein particularly mentioned was agreed to be leased to the Great Eastern Company for a term of 999 years from the 31st day of December 1879 at a yearly rent which now amounts to 2,550*l.* per annum and under and subject to the agreements and provisions therein contained:

And whereas since the said 1st day of August 1879 the Great Eastern Company have worked and managed the railways of the Thetford Company under the provisions of the said agreement but no lease has actually been granted:

And whereas the Thetford Company have agreed to sell and the Great Eastern Company have agreed to purchase the undertaking of the Thetford Company as herein-after defined upon the terms and subject to the provisions herein-after contained:

Now it is hereby mutually agreed and declared by and between the parties nereto as follows:—

1. Subject as herein-after provided the Thetford Company agree to sell and the Great Eastern Company agree to purchase as from the 1st day of July 1897 all and singular the railways stations buildings works conveniences lands (including surplus lands not already sold) easements and property real and personal and rights powers and privileges of the Thetford Company excepting

[Ch. xcv.] *Great Eastern Railway (General Powers)* [60 & 61 VICT.]
Act, 1897.

A.D. 1897. only moneys due or which shall accrue to the Thetford Company on revenue account prior to the said 1st day of July 1897 (all of which premises hereby agreed to be sold are herein-after included in the expression "the undertaking of the Thetford Company").

2. The consideration for the said sale shall be the creation by the Great Eastern Company of 63,750*l.* debenture stock bearing interest at the rate of 4 per cent. per annum as from the 1st day of July 1897 (herein-after referred to as "Great Eastern debenture stock") to be issued by them to the persons and in manner herein-after mentioned (that is to say):—

Subject to the satisfaction by the Thetford Company of any liabilities and obligations which under these presents ought to be discharged by them the Great Eastern Company shall with all reasonable despatch after the completion of the said sale distribute the said 63,750*l.* Great Eastern debenture stock between the registered holders of the debenture stock preference stock and ordinary stock respectively in such proportions as between the three classes of stock as shall be fixed either by the Bill intended to be promoted as herein-after mentioned or by a scheme to be prepared and approved in manner to be provided by the said Bill and subject to a provision that the Great Eastern Company may if they think fit pay cash in lieu of any fractional sum of stock less than 10*l.*

3. The Thetford Company shall bear and discharge all obligations and payments which ought to be borne and paid by them under the said agreement dated the 1st day of August 1879 up to the 1st day of July 1897 and shall up to the same date be entitled to receive the rent becoming due to them under that agreement and as from the said 1st day of July 1897 the said agreement of the 1st day of August 1879 shall cease to have any further operation.

4. The Thetford Company shall within six calendar months from the date hereof deliver to the Great Eastern Company an abstract of their title to the said lands (such abstract to commence with the several conveyances to the Thetford Company) and shall by such abstract show a good title to the lands comprised in the said undertaking for an estate of inheritance in fee simple free from incumbrances and they shall produce to the Great Eastern Company the said conveyances and all other deeds and documents in their possession relating to their undertaking and if any of the said lands are still subject to land tax the Thetford Company shall either redeem the said tax or pay to the Great Eastern Company the amount (including costs and expenses) which would be required to effect such redemption.

5. The purchase shall be completed within three calendar months after the Act for confirming these presents shall have received the Royal Assent and on completion of the said purchase the Thetford Company and all other necessary parties (if any) shall execute a proper conveyance for vesting the said undertaking in the Great Eastern Company freed and discharged from all mortgages and incumbrances whatsoever and so that the respective undertakings of the Thetford Company and the Great Eastern Company shall not as between the companies parties hereto be or continue to be subject or liable to any claims or demands of any creditors of the Thetford Company or of any of the proprietors of debentures or stock of the Thetford Company. On the completion of the said purchase the Thetford Company shall deliver to the Great

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Eastern Company all plans papers books and documents whatsoever relating to their undertaking and the common seal of the Thetford Company. A.D. 1897.

6. After the completion of the said purchase the Thetford Company shall subsist only for the purpose of winding-up their affairs and the Bill intended to be promoted as herein-after provided shall contain all proper provisions for the winding-up and dissolution of the Thetford Company.

7. On the completion of the said purchase the Great Eastern Company shall pay to the Thetford Company the sum of 250*l.* which sum is to be in full satisfaction of all costs charges and expenses of the Thetford Company of and incident to the perusal and execution of these presents and the negotiation of the said sale and the deducing and verifying of the title to the said lands and the perusal and execution of the conveyance of the said undertaking and the completion of the said sale and the winding-up and dissolution of the Thetford Company.

8. The provisions contained in section 49 of the Railways Clauses Act 1863 shall not apply to the amalgamation hereby agreed to be effected.

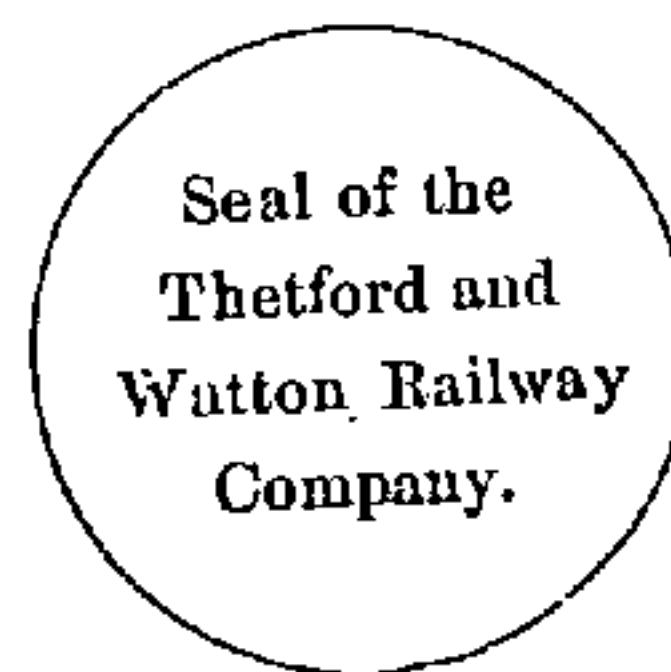
9. Upon the completion of the said intended purchase the Great Eastern Company shall pay to the Thetford Company the sum of 250*l.* for distribution amongst the directors of the Thetford Company and the sum of 250*l.* for payment to the secretary of the same company.

10. This agreement is made subject to the approval of Parliament and to such alterations as either House of Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein it shall be in the option of either party to withdraw from the same and thereupon this agreement shall become void.

11. The Great Eastern Company will at their own expense in the ensuing session of Parliament (either in a Bill for general powers relating to their own undertakings or in a Bill specially for this purpose) apply for and use their best endeavours to obtain the confirmation of this agreement by Parliament and the necessary powers for carrying it into effect and the Thetford Company will if required by the Great Eastern Company support the said Bill and use their best endeavours to secure the passing thereof.

In witness whereof the Thetford Company and the Great Eastern Company have caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the Thetford and Watton Railway
Company was hereunto affixed in the presence of
THOMAS C. LINE
Secretary.



The common seal of the Great Eastern Railway Company
was hereunto affixed in the presence of
T. D. GENLLOUD
Secretary.



[Ch. xcv.] *Great Eastern Railway (General Powers)* [60 & 61 VICT.]
Act, 1897.

A.D. 1897.

THE FOURTH SCHEDULE.

THIS AGREEMENT made the fourth day of December 1896 between THE WATTON AND SWAFFHAM RAILWAY COMPANY (herein-after called "the Watton Company") of the one part and THE GREAT EASTERN RAILWAY COMPANY (herein-after called "the Great Eastern Company") of the other part.

WHEREAS under the powers of the Watton and Swaffham Railway Act 1869 the Watton Company constructed the railway in the county of Norfolk which is therein particularly described and under the powers of that Act and the Watton and Swaffham Railway (Additional Capital) Certificate 1877 (being a certificate made and issued by the Board of Trade under the Railway Companies Powers Act 1864) the Watton Company raised a share and loan capital which now consists of the following particulars:—

	Nominal Amount.
(A) Debenture stock bearing interest at 4 per cent. per annum (herein-after called "Watton debenture stock") -	£ 35,000
(B) 4 per cent. preference stock (herein-after called "Watton preference stock") - - - - -	21,250
(C) Ordinary stock (herein-after called "Watton ordinary stock") - - - - -	60,000

And whereas by Articles of Agreement made the 1st day of August 1879 between the Thetford and Watton Railway Company of the first part the Watton Company of the second part and the Great Eastern Company of the third part the undertaking of the Watton Company as therein particularly mentioned was agreed to be leased to the Great Eastern Company for a term of 999 years from the 31st day of December 1879 at a yearly rent which now amounts to 2,250*l.* per annum and under and subject to the agreements and provisions therein contained:

And whereas since the said 1st day of August 1879 the Great Eastern Company have worked and managed the railways of the Watton Company under the provisions of the said agreement but no lease has actually been granted:

And whereas the Watton Company have agreed to sell and the Great Eastern Company have agreed to purchase the undertaking of the Watton Company as herein-after defined upon the terms and subject to the provisions herein-after contained:

Now it is hereby mutually agreed and declared by and between the parties hereto as follows:—

1. Subject as herein-after provided the Watton Company agree to sell and the Great Eastern Company agree to purchase as from the 1st day of July 1897 all and singular the railways stations buildings works conveniences lands (including surplus lands not already sold) easements and property real and personal and rights powers and privileges of the Watton Company excepting only moneys due or which shall accrue to the Watton Company on revenue account prior to the 1st day of July 1897 (all which premises hereby agreed to be sold are herein-after included in the expression "the undertaking of the Watton Company").

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Act, 1897.

A.D. 1897.

2. The consideration for the said sale shall be the creation by the Great Eastern Company of 56,250*l.* debenture stock bearing interest at the rate of 4 per cent. per annum as from the 1st day of July 1897 (herein-after referred to as "Great Eastern debenture stock") to be issued by them to the persons and in manner herein-after mentioned (that is to say):—

Subject to the satisfaction by the Watton Company of any liabilities and obligations which under these presents ought to be discharged by them the Great Eastern Company shall with all reasonable despatch after the completion of the said sale distribute the said 56,250*l.* Great Eastern debenture stock between the registered holders of debenture stock preference stock and ordinary stock respectively in such proportion as between the three classes of stock as shall be fixed either by the Bill intended to be promoted as herein-after mentioned or by a scheme to be prepared and approved in manner to be provided by the said Bill and subject to a provision that the Great Eastern Company may if they think fit pay cash in lieu of any fractional sum of stock less than 10*l.*

3. The Watton Company shall bear and discharge all obligations and payments which ought to be borne and paid by them under the said agreement of the 1st day of August 1879 to the 1st day of July 1897 and shall up to the same date be entitled to receive the rent becoming due to them under that agreement and as from the said 1st day of July 1897 the said agreement of the 1st day of August 1879 shall cease to have any further operation.

4. The Watton Company shall within six calendar months from the date hereof deliver to the Great Eastern Company an abstract of their title to the said lands (such abstract to commence with the several conveyances to the Watton Company) and shall by such abstract show a good title to the lands comprised in the said undertaking for an estate of inheritance in fee simple free from incumbrances and they shall produce to the Great Eastern Company the said conveyances and all other deeds and documents in their possession relating to the undertaking and if any of the said lands are still subject to land tax the Watton Company shall either redeem the said tax or pay to the Great Eastern Company the amount (including costs and expenses) which would be required to effect such redemption.

5. The purchase shall be completed within three calendar months after the Act for confirming these presents shall have received the Royal Assent and on completion of the said purchase the Watton Company and all other necessary parties (if any) shall execute a proper conveyance for vesting the said undertaking in the Great Eastern Company freed and discharged from all mortgages and incumbrances whatsoever and so that the respective undertakings of the Watton Company and the Great Eastern Company shall not as between the companies parties hereto be or continue to be subject or liable to any claims or demands of any creditors of the Watton Company or of any of the proprietors of debentures or stock of the Watton Company. On the completion of the said purchase the Watton Company shall deliver to the Great Eastern Company all deeds plans papers books and documents whatsoever relating to their undertaking and the common seal of the Watton Company.

6. After the completion of the said purchase the Watton Company shall subsist only for the purpose of winding-up their affairs and the Bill intended to be promoted as herein-after provided shall contain all proper provisions for the winding-up and dissolution of the Watton Company.

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A.D. 1897.

7. On the completion of the said purchase the Great Eastern Company shall pay to the Watton Company the sum of 250*l.* which sum is to be in full satisfaction of all costs charges and expenses of the Watton Company of and incident to the perusal and execution of these presents and the negotiation of the said sale and the deducing and verifying of the title to the said lands and the perusal and execution of the conveyance of the said undertaking and the completion of the said sale and the winding-up and dissolution of the Watton Company.

8. The provisions contained in section 49 of the Railways Clauses Act 1863 shall not apply to the amalgamation hereby agreed to be effected.

9. Upon the completion of the said intended purchase the Great Eastern Company shall pay to the Watton Company the sum of 250*l.* for distribution amongst the directors of the Watton Company and the sum of 250*l.* for payment to the secretary of the same company.

10. This agreement is made subject to the approval of Parliament and to such alterations as either House of Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein it shall be in the option of either party to withdraw from the same and thereupon this agreement shall become void.

11. The Great Eastern Company will at their own expense in the ensuing session of Parliament (either in a Bill for general powers relating to their own undertaking or in a Bill specially for this purpose) apply for and use their best endeavours to obtain the confirmation of this agreement by Parliament and the necessary powers for carrying it into effect and the Watton Company will if required by the Great Eastern Company support the said Bill and use their best endeavours to secure the passing thereof.

In witness whereof the Watton Company and the Great Eastern Company have caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the Watton and Swaffham Railway
Company was hereto affixed in the presence of
THOS. C. LINE
Secretary.



The common seal of the Great Eastern Railway Company
was hereunto affixed in the presence of
T. D. GENLLOUD
Secretary.



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