



CHAPTER cviii.

An Act for conferring further powers on the Great Eastern Railway Company and for other purposes. A.D. 1904.

[22nd July 1904.]

**W**HEREAS it is expedient that the Great Eastern Railway Company (in this Act called "the Company") be authorised to construct the quay extension and the weir reservoirs and lines of pipes and to purchase the additional lands hereinafter described and to exercise the other powers in this Act specified :

And whereas by the Great Eastern Railway Company and Midland and Great Northern Railways Joint Committee Act 1898 (in this Act called "the Act of 1898") the Norfolk and Suffolk Joint Railways Committee (therein and in this Act called "the new committee") were incorporated and by section 28 of that Act the powers of the Midland and Great Northern Railway Companies the Midland and Great Northern Railways Joint Committee and the Company with respect to the railway and portions of railway therein described were transferred to and vested in the new committee :

And whereas by the Great Eastern Railway (General Powers) Act 1899 (in this Act called "the Act of 1899") the Company were authorised to construct a railway (therein described as "Railway No. 4") in the parish of Runton in the county of Norfolk connecting the Railway No. 1 which the Midland and Great Northern Railways Joint Committee were by the Midland Railway Act 1896 authorised to construct with the Cromer Line of that committee and by section 32 of the Great Eastern Railway Act 1902 (in this Act called "the Act of 1902") the powers of the Midland and Great Northern Railways Joint Committee with respect to the portion of the said Railway No. 1 lying between the termination of

[Ch. cviii.] *Great Eastern Railway (General Powers) Act, 1904.* [4 EDW. 7.]

A.D. 1904. the Cromer Junction Railway No. 2 authorised by the Act of 1898 and the said Railway No. 4 were transferred to and vested in the new committee and it is expedient that the powers of the Company with respect to the said Railway No. 4 be also transferred to and vested in the new committee :

And whereas it is expedient that the Company be authorised to abandon the construction of the works hereinafter in that behalf mentioned and that the respective times limited for the compulsory purchase by the Company of certain lands and for the completion by them of certain authorised works hereinafter more particularly referred to be extended as by this Act provided :

And whereas it is expedient that the Company should be authorised to provide omnibuses coaches cars and other vehicles suitable to run along the public roads :

And whereas under and by virtue of the East London Railway Act 1882 the Company are with certain other railway companies joint lessees of the undertaking of the East London Railway Company and it is expedient that the time now limited by section 18 of the South Eastern Railway Act 1895 for the sale by the East London Railway Company of superfluous lands be extended as hereinafter mentioned :

And whereas plans and sections showing the lines situations and levels of the works by this Act authorised to be constructed and plans of the lands authorised to be taken acquired and held under the powers of this Act 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 such lands respectively were duly deposited as follows (that is to say) :—

As regards works and lands in the county of Essex with the clerk of the peace for that county ;

As regards lands in the county of Middlesex with the clerk of the peace for that county ;

As regards lands in the county of Suffolk with the clerk of the peace for that county ;

As regards lands in the county of Norfolk with the clerk of the peace for that county ; and

As regards lands in the county of Cambridge with the clerk of the peace for that county ;

and the said plans sections and books of reference respectively are in this Act referred to as “ the deposited plans sections and books of reference ” :

[4 EDW. 7.] *Great Eastern Railway (General Powers) Act, 1904.* [Ch. cviii.]

And whereas the objects of this Act cannot be effected without the authority of Parliament: A.D. 1904.

May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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 1904. 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 Lands Clauses Acts ;

Part II. of the Railways Clauses Act 1863 (relating to extension of time) ; and

The Harbours Docks and Piers Clauses Act 1847 (with the exceptions of section 12 and unless the Board of Trade shall otherwise require sections 16 to 19).

**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 : Interpretation.

The expression "Parkeston Quay" means the quay authorised by section 8 of the Great Eastern Railway Act 1874 ;

The expression "the quay extension" means the extension of Parkeston Quay authorised by this Act ; and

The expression "the stream" means the stream shown on the deposited plans which passes under the Southend Railway of the Company 180 yards or thereabouts to the south-eastward of the south-eastern end of the up-platform at the Rochford Station of the Company.

**4.** Subject to the provisions of this Act the Company may make execute and maintain in the lines or situations 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 necessary and convenient sidings approaches buildings roads quays wharves wharf-wall retaining Power for execute works.

[Ch. cviii.] *Great Eastern Railway (General Powers) Act, 1904.* [4 EDW. 7.]

A.D. 1904. — works embankments landing-places warehouses mooring-buoys stages cranes lifts machinery water-pipes pumps and other works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for those purposes.

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

(A) An extension in the parish of Ramsey in the rural district of Tendring in the county of Essex and on the bed and foreshore of the river Stour of Parkeston Quay for a distance of 17·60 chains or thereabouts in a westerly direction :

(B) — (1) A weir in the parishes of Rochford and Eastwood in the rural district of Rochford in the county of Essex across the stream immediately to the north-eastward of the bridge or culvert by which the stream passes under the Southend Railway of the Company :

(2) A reservoir in the said parish of Rochford to be situate on the property numbered on the Ordnance map (scale  $\frac{1}{2500}$  second edition 1897) 167 in the said parish together with a line of pipes commencing in the stream at or about the site of the said weir and terminating in the said reservoir :

(3) A reservoir in the said parish of Eastwood to be situate on the property numbered on the said Ordnance map 66 in the said parish of Eastwood and on the property lying between the said property numbered 66 as aforesaid and the road known as South Street Rochford together with a line of pipes commencing in the stream at or about the site of the said weir and terminating in the said reservoir :

Provided that the Company shall not construct both of such reservoirs.

Limits of deviation.

5. In constructing the works by this Act authorised the Company may deviate laterally from the lines thereof as shown on the deposited plans to any extent not exceeding the limits of deviation shown on those plans and may deviate vertically from the levels of the works as shown on the deposited sections to any extent not exceeding five feet upwards and ten feet downwards Provided that no deviation either lateral or vertical below high-

water mark shall be made without the consent in writing of the Board of Trade: A.D. 1904.

Provided also that it shall not be lawful for the Company to deviate laterally in constructing either of the reservoirs by this Act authorised so as to include therein any portion of the bed of the stream.

**6.** If by the construction of the weir by this Act authorised (A) the water in the stream which flows through Rochford Hall Farm the property of James Tabor Samuel George Savill and John English Tabor the trustees of the will of James Tabor deceased is headed back so that the level of the water in the said stream is raised so as to flood or in any way interfere with the proper drainage of any of the lands of the said trustees and the said lands are thereby damaged or (B) the water at the ford over the said stream used and occupied by the tenants of the said trustees shall be raised so as to interfere with the said ford the Company shall make full compensation to the said trustees and their tenants respectively for the damage sustained and to be sustained by them respectively by the execution of the works by this Act authorised and the amount of such compensation shall in case of difference be settled by arbitration under and in accordance with the provisions of the Lands Clauses Acts. For protection of Tabor's trustees.

**7.** If the quay extension is not completed within seven 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. Period for completion of works.

**8.** The quay extension shall as regards tolls rates dues and charges the powers and duties of the harbour-master and byelaws and in all other respects (including the purpose of the definition of the prescribed limits contained in the Great Eastern Railway Act 1874 and all other the purposes of that Act and of the Harbours Docks and Piers Clauses Act 1847 so far as incorporated by this Act) be deemed to form part of Parkeston Quay and the provisions of the Great Eastern Railway Act 1874 and of this Act relating to Parkeston Quay shall apply to the quay extension accordingly. Quay extension to form part of Parkeston Quay.

**9.** The Company may from time to time dredge scour cleanse and deepen and remove any rocks banks sand mud or shingle from the bed and channel of the river Stour adjoining and near to Power to dredge.

[Ch. cviii.] *Great Eastern Railway (General Powers) Act, 1904.* [4 EDW. 7.]

A.D. 1904. Parkeston Quay and the quay extension and the approaches thereto or for the purpose of obtaining access thereto to such extent as the Company deem it necessary or expedient to do in that behalf.

As to licence of Harwich Harbour Conservancy Board to quay extension.

**10.** The Company shall not make commence or execute the quay extension without the previous licence of the Harwich Harbour Conservancy Board which licence that Board may grant if they think fit (but without taking any fee for the granting thereof) and in case the Company shall think themselves aggrieved by the refusal of such licence they may appeal to the Board of Trade against such refusal and the decision of the Board of Trade shall be binding on and shall be carried into effect by the said conservancy board and the Company shall be entitled to receive such licence unless the authorised works will in the opinion of the said conservancy board or of the Board of Trade on appeal be injurious to navigation and nothing in this Act contained shall extend or be construed to prejudice diminish alter or take away any of the rights powers or privileges of the Harwich Harbour Conservancy Board under the Harwich Harbour Act 1863 or the Harwich Harbour Act 1865.

Works below high-water mark not to be commenced without consent of Board of Trade.

**11.** The Company shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of such approval being signified as last aforesaid and where any such work may have been constructed the Company shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals. If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Company and the amount of such costs and charges shall be a debt due from the Company to the Crown and shall be recoverable as a Crown debt or summarily.

Company to exhibit lights.

**12.** The Company shall at the outer extremity of the works hereby authorised below high-water mark exhibit and keep burning from sunset to sunrise such lights (if any) and take such other

[4 Edw. 7.] *Great Eastern Railway (General Powers)* [Ch. cviii.]  
Act, 1904.

steps for the prevention of danger to navigation as the Corporation of the Trinity House Deptford Strond shall from time to time direct. If the Company fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

A.D. 1904.

**13.** The Company shall at or near the works hereby authorised below high-water mark during the whole time of constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve. If the Company fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Lights on works during construction.

**14.** If any work constructed by the Company under the powers of this Act on in over through or across tidal lands or tidal waters is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Company and the amount of such expense shall be a debt due from the Company to the Crown and be recoverable as a Crown debt or summarily.

Abatement of works abandoned or decayed.

**15.** If at any time the Board of Trade deems it expedient for the purposes of this Act to order a survey and examination of any work constructed by the Company under the powers of this Act on in over through or across tidal lands or tidal waters or of the intended site of any such work the Company shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Company to the Crown and be recoverable as a Crown debt or summarily.

Survey of works by Board of Trade.

**16.** In case of injury to or destruction or decay of the works by this Act authorised or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the corporation of the Trinity House Deptford Strond and shall apply to that corporation for directions as to the means to be taken and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

Provision against danger to navigation.

A.D. 1904.

Saving  
rights of  
Crown.

**17.** Nothing herein contained shall authorise the Company to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent such commissioners and such board are hereby respectively authorised to give) neither shall anything herein 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 King's Majesty.

Any land  
reclaimed by  
the works not  
to be taken  
without con-  
sent of Board  
of Trade.

**18.** If in the course or by means of the execution of any of the works by this Act authorised any part of the shores or bed of the sea in the vicinity of the said works belonging to His Majesty shall be inured gained or reclaimed from the water the Company shall not have or exercise any right upon the same or in respect thereof and shall not enter upon take use or interfere with the land so inured gained or reclaimed for any purpose whatsoever without the consent in writing of the Board of Trade on behalf of His Majesty but such inuring gaining or reclamation shall enure absolutely for the benefit of the King's Majesty.

Power to  
take water  
from stream.

**19.** The Company may by means of the pipes pumps and other works in connection therewith by this Act authorised divert the water from the stream and impound the same in the reservoir which they construct under the powers of this Act and may use such water for the purposes of their undertaking :

Provided that the Company shall not impound any water from the stream in the said reservoir while the quantity of the water passing along the course of the stream immediately below the weir by this Act authorised shall be less than at the rate of one hundred and thirty thousand gallons per day of twenty-four hours The Company shall construct the said weir in such a manner as to prevent any water passing into the said reservoir unless such quantity is passing along the course of the stream as aforesaid.

Power to  
Company to  
take addi-  
tional lands.

**20.** The Company in addition to the other lands which they are by this Act authorised to acquire may enter upon and take compulsorily or by agreement and may appropriate and use for the



purposes of extending or affording access to their stations sidings warehouses buildings wharves depôts and other accommodation and for the general purposes of their undertaking all or any of the lands hereinafter described and delineated on the deposited plans and described in the deposited books of reference and any estates or interests in any such lands and may hold and use for all or any of the above-mentioned purposes such of the said lands as have already been purchased or acquired by them (that is to say) :—

In the county of Middlesex—

Lands in the parish and urban district of Edmonton adjoining and on the western side of the Company's Cambridge main line of railway ;

and the Company may on the completion of the purchase of the said lands stop up and discontinue for traffic Pickett's Lock Lane for a distance of 4·20 chains or thereabouts westward of the level crossing of the said lane over the said main line of railway.

In the county of Essex—

Lands in the parish and urban district of Witham adjoining and on the north-west side of the Company's Colchester main line of railway.

In the county of Suffolk—

In the parish of Kirkley in the borough of Lowestoft—

(A) Lands adjoining and on the south side of the South Lowestoft goods line of the Company and consisting of the property numbered on the Ordnance maps (scale  $\frac{1}{2500}$  first editions of 1885 and 1890) 137 in the said parish and portions of the properties respectively numbered on the said maps 136 and 161 and of the properties respectively numbered on the said map (edition 1885) 162 170 and 171 in the said parish ; and

(B) A strip of land extending north-westward from the north-western end of Lovewell Road to the roadway running on the south-eastern side of the said property numbered 136 on the said maps.

In the county of Norfolk—

Lands in the parish of Northrepps and rural district of Erpingham adjoining and on the eastern side of the Company's East Norfolk line of railway near Cromer Station on that railway which lands form part of the property numbered on the Ordnance map (scale  $\frac{1}{2500}$  first edition 1887) 451 in the said parish :

A.D. 1904.

Lands and buildings in the parish of Watlington in the rural district of Downham adjoining and on the west side of the Company's Ely and Lynn Branch Railway at or near the Magdalen Road Station thereon which lands and buildings form part of the property numbered on the Ordnance map (scale  $\frac{1}{2500}$  edition 1886) 156 in the said parish.

In the county of Cambridge—

Lands and buildings in the parish of Teversham in the rural district of Chesterton lying between the Company's Cambridge Newmarket and Bury Branch Railway and the Fulbourne Old Drift Road which lands form part of the property numbered on the Ordnance map (scale  $\frac{1}{2500}$  second edition 1903) 30 in the said parish.

For protection of Tottenham and Edmouton Gas Light and Coke Company.

**21.** For the protection of the Tottenham and Edmouton Gas Light and Coke Company (in this section called "the gas company") the following provisions shall unless otherwise agreed between the Company and the gas company apply and have effect:—

- (1) The Company shall not stop up or discontinue for traffic Pickett's Lock Lane or remove or displace any of the mains pipes syphons or other works therein belonging to the gas company or do anything to impede the passage of gas through such mains or pipes until they shall have completed the public carriage road authorised by section 4 of the Great Eastern Railway (General Powers) Act 1901 nor until good and sufficient mains pipes syphons and all other works necessary or proper for continuing the supply of gas as sufficiently as the same was supplied by the gas company's existing mains and pipes in the said lane shall at the expense of the Company have been first made and laid down in such public carriage road and be ready for use:
- (2) At least fourteen days before commencing the laying and construction of such substituted mains pipes syphons and works (in this section called "the substituted works") the Company shall submit to the gas company a plan section and particulars showing the manner in which it is proposed to lay and construct the same and if within fourteen days from such submission the gas company disapprove of the said plan section or particulars or make any further requirements in relation to the laying

or construction of the substituted works such laying and construction shall not be commenced until the said plan section and particulars have been agreed or settled by arbitration. Provided that if the gas company do not within fourteen days after such submission signify their approval or disapproval thereof or their requirements in relation thereto they shall be deemed to have approved of such plan section and particulars. And the substituted works shall be laid and constructed in accordance with such plan section and particulars and to the reasonable satisfaction and under the superintendence of the engineer of the gas company and the reasonable costs charges and expenses of such superintendence shall be paid by the Company :

- (3) If the gas company by notice in writing to the Company within seven days after the receipt by them of the said plan section and particulars so require the gas company may by their own engineer and workmen lay and construct the substituted works under the superintendence and to the reasonable satisfaction of the principal engineer of the Company and the Company shall on completion pay to the gas company the reasonable expenses incurred by them in the laying and construction thereof :
- (4) If the gas company shall so desire the substituted works shall be of a larger capacity than those now laid in Pickett's Lock Lane and in that event the additional expense (to be certified by the said principal engineer of the Company whose certificate shall be final and conclusive) involved by such increase of capacity shall be borne by the gas company and in the event of such works being carried out by the Company shall be repaid to the Company forthwith on demand :
- (5) If any difference shall arise between the Company and the gas company touching this section and anything to be done or not to be done or any moneys to be paid thereunder such difference shall be determined by an engineer to be appointed (unless otherwise agreed on between the parties) on the application of either party by the President for the time being of the Institution of Civil Engineers.

A.D. 1904.  
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For pro-  
tection of  
Edmonton  
Urban Dis-  
trict Council.

**22.** For protection of the Edmonton Urban District Council (in this section called "the council") the following provisions shall have effect unless otherwise agreed in writing under the respective common seals of the Company and the council (that is to say) :—

- (1) The Company shall forthwith upon receiving notice in writing from the council of the completion of the culvert proposed to be constructed by the council in Pickett's Lock Lane east of the point indicated by the letter A on the plan signed by John Wilson on behalf of the Company and by George Eedes Eachus on behalf of the council construct and thereafter maintain a culvert in such manner and of such materials as shall be determined by the principal engineer of the Company between the points in Pickett's Lock Lane which are shown by the letters A B on the said signed plan such last-mentioned culvert to be constructed of the height of 5 feet 3 inches and of the width of 3 feet 6 inches with two manhole covers in such positions as the said principal engineer of the Company may determine and the invert portion of the said culvert shall be constructed at a level of 12 feet 3 inches below the upper surface of the rails of the Company's railway over the last-mentioned culvert :
- (2) The council shall upon giving the said notice pay to the Company the sum of one hundred and seventy-five pounds and upon completion of the said culvert the further sum of one hundred and seventy-five pounds After the construction of the said culvert by the Company the council shall at all times at their own expense properly scour and cleanse the same :
- (3) The council shall be at liberty upon previous payment to the Company of the sum of twenty-five pounds to extend under the railway and premises of the Company the water main of the Company now laid in Pickett's Lock Lane and to use such water main as so extended as a means of supply to the works or premises of the council situate on the eastern side of the said railway The extension of the said water main and all works in connection therewith as well as all repairs alterations or renewals of such water main as so extended shall be

executed by the Company at the expense of the council who shall forthwith repay to the Company on demand the amount of such expense as certified by the said principal engineer of the Company whose certificate shall be final and conclusive.

A.D. 1904.

**23.** Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not purchase or acquire any portion of the land numbered 1 in the parish of Northrepps which is shown by the colour blue on a plan signed by Alexander Ross on behalf of the new committee and by John Wilson on behalf of the Company.

For protection of new committee.

**24.** 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.

Period for compulsory purchase of lands.

**25.** 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 persons 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.

**26.** The Company may divert the footpath in the parish of Hutton in the rural district of Billericay in the county of Essex leading from Hanging Hill Lane to Priest's Lane which now crosses the railway of the Company on the level at or about the north-westernmost corner of the wood in the said parish known as "Thrift Wood" in the manner shown on the deposited plans and may enter upon take and use such of the lands shown on the deposited plans and described in the deposited books of reference as may be necessary for that purpose and subject to the provisions of this Act may stop up and discontinue for traffic so much of the existing footpath as lies between the fences of the Company's railway.

Diversion of footpath in Hutton parish.

**27.** All public rights of way over or affecting any road or footpath or any portion thereof authorised to be diverted or stopped up under the powers of this Act are by this Act extinguished as from the time of each such diversion or stopping up respectively.

Extinguishing rights of way.

[Ch. cviii.] *Great Eastern Railway (General Powers) Act, 1904.* [4 EDW. 7.]

A.D. 1904.  
Footpath not to be stopped up until substitution completed.

**28.** The Company shall not stop up and discontinue for public traffic the portion of footpath which they are by this Act authorised to stop up and discontinue until the work 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. Provided that the Company shall before applying to the said justices for their certificate that such footpath is completed to their satisfaction give seven days' notice in writing of their intention to apply for the same to the road authority of the district in which the footpath is situate.

Repair of diverted footpath.

**29.** The diverted portion of footpath to be made under the authority of this Act shall unless otherwise agreed when made and completed be repaired and maintained by and at the expense of the parties on whom the expense of maintaining the adjoining portions of the same footpath now devolves.

Vesting sites of road and footpath stopped up.

**30.** 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 Pickett's Lock Lane or of the said footpath are by this Act vested in the Company and 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.

Transfer to new committee of powers of Company with respect to Railway No. 4 authorised by Act of 1899.

**31.** On the passing of this Act there shall be by this Act transferred to and vested in the new committee all the powers rights privileges and liabilities of the Company for or connected with the making maintaining use and ownership of the Railway No. 4 authorised by section 4 subsection (c) of the Act of 1899 (including the powers of the Company for the purchase and taking of lands by compulsion and otherwise and for taking levying and recovering tolls rates and charges) and the said railway shall be deemed to form part of the joint railways of the new committee and the provisions of the Act of 1898 relating to such joint railways shall apply to the said Railway No. 4.

Abandonment of certain authorised works.

**32.** The Company shall abandon and relinquish the construction of—

(A) So much of the Railway (Cromer Junction No. 1) authorised by section 31 of the Act of 1898 as lies between its authorised commencement and the proposed junction therewith of the new railway Work (A) authorised

by section 5 of the Great Eastern Railway Act 1903 ; A.D. 1904.  
and

(B) The Railway (No. 1) being Work (A) authorised by section 4 of the Act of 1899.

**33.** The abandonment by the Company under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of the powers contained in the Railways Clauses Consolidation Act 1845 or the Act of 1898 or the Act of 1899 as the case may be.

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

**34.** Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portion of railway or works authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or any persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation to be made in respect of works abandoned.

**35.** The period now limited by the Great Eastern Railway (General Powers) Act 1901 for the completion of the following works (viz.) :—

Extension of time for completion of works authorised by Act of 1897.

(1) The widening and improvement authorised by section 5 subsection (F) of the Great Eastern Railway (General Powers) Act 1897 (in this section called "the Act of 1897") of the Company's Ware and Hertford Branch ; and

[Ch. cviii.] *Great Eastern Railway (General Powers) Act, 1904.* [4 EDW. 7.]

A.D. 1904.

(2) The line or lines of rails authorised by section 5 subsection (1) of the Act of 1897 ;

is hereby further extended for a period of three years from the fifteenth day of July one thousand nine hundred and five.

Extension of periods limited for completion of certain works authorised by Company's Act of 1898 and for purchase of certain lands for same.

**36.** The period now limited by the Act of 1902 for the completion of the widening and improvement (No. 5) of the Company's Beccles and Lowestoft Branch and the deviation of that branch and the substituted swing bridge respectively authorised by section 5 subsection (5) of the Great Eastern Railway (General Powers) Act 1898 is hereby further extended for a period of two years from the first day of July one thousand nine hundred and five and the period now limited for the purchase by the Company of the following lands for the purposes of those works is hereby further extended for a period of two years from the first day of July one thousand nine hundred and four.

The lands hereinbefore referred to in this section are the following (that is to say) :—

The lands numbered on the plans deposited for and referred to in the Great Eastern Railway (General Powers) Act 1898 1 29 to 43 68 69 71 and 72 in the parish of Carlton Colville in the rural district of Mutford and Lothingland in the county of Suffolk ; and

The lands on the same plans numbered 1 2 4 5 6 7 8 and 9 in the parish of Oulton in the same rural district.

Extension of time for compulsory purchase of lands for certain works authorised by Act of 1899.

**37.** The period now limited by the Act of 1902 for the compulsory purchase of lands for the Widening (No. 1) and Widening (No. 2) of the Northern and Eastern Railway (now belonging to the Company) described respectively in subsections (D) and (E) of section 4 of the Act of 1899 is hereby further extended for a period of two years from the ninth day of August one thousand nine hundred and four.

For protection of Enfield Gas Company.

**38.** Notwithstanding anything contained in this Act or the Act of 1899 or shown on the plans deposited in relation to the last-mentioned Act the Company shall not without the consent of the Enfield Gas Company purchase or acquire the land numbered 2 in the parish of Enfield on such plans or any portion of so much of the land numbered 5 in that parish as may belong to the Enfield Gas Company.



**39.** The period now limited by the Great Eastern Railway Act 1903 for the compulsory purchase of the following lands:— A.D. 1904.

- (A) The lands required for or in connection with the covering over with a girder or girders or an arch or arches of (1) Vallance Road (2) Arundel Street and (3) Brady Street described in and authorised by section 31 of the Great Eastern Railway (General Powers) Act 1900 (in this section called "the Act of 1900"); Extension of time for compulsory purchase of certain lands authorised to be acquired by Act of 1900.
- (B) Lands houses and buildings in the parish of Saint Matthew Bethnal Green in the county of London authorised to be acquired by section 31 subsections (A) (B) (C) (D) and (E) of the Act of 1900;
- (C) Lands in the parish of Low Leyton in the county of Essex authorised to be acquired by section 31 subsection (H) of the Act of 1900;
- (D) Lands in the parish of Loughton in the county of Essex authorised to be acquired by section 31 subsection (M) of the Act of 1900;
- (E) Lands houses and buildings in the parish of Gorleston in the county of Norfolk authorised to be acquired by section 31 subsections (R) and (S) of the Act of 1900;

is hereby further extended for a period of two years from the thirtieth day of July one thousand nine hundred and five.

**40.** The period limited by the Great Eastern Railway (General Powers) Act 1901 (in this section called "the Act of 1901") for the compulsory purchase of the following lands:— Extension of time for compulsory purchase of certain lands authorised to be acquired by Act of 1901.

- (A) The lands in the parish and urban district of Walthamstow in the county of Essex authorised to be acquired by section 10 of the Act of 1901;
- (B) The lands houses and buildings in the parish of Saint Mary Stoke in the county borough of Ipswich in the county of Suffolk being the lands (A) and (B) in that parish described in and authorised to be acquired by section 10 of the Act of 1901;

is hereby extended for a period of two years from the twenty-sixth day of July one thousand nine hundred and four.

**41.**—(1) The Company may provide own work and use in connection with or in extension of their railway system or otherwise in any district to which their said system affords access omnibuses coaches cars and other road vehicles to be drawn or Company to provide omnibuses &c.

A.D. 1904. — moved by animal power or electrical or any mechanical power and may therein convey persons luggage parcels and goods whether to and from any of their stations or otherwise and may make and recover charges in respect of such conveyance and may enter into contracts or agreements with any company or person for the supply or working of any such omnibuses coaches cars and other road vehicles and may apply their corporate funds to the purposes aforesaid or any of them.

(2) Any electrical power used shall be entirely contained in and carried along with such omnibuses coaches cars and other road vehicles in such a manner that no magnetic or other influence is created which is likely to affect the telegraphic communication by means of any telegraphs of the Postmaster-General.

Conveyance  
of mails by  
road vehi-  
cles.

**42.** And whereas it has been agreed between the Company and the Postmaster-General that the following provisions shall apply with respect to the conveyance of mails by omnibuses coaches cars and other road vehicles :

Be it therefore enacted that—

(1) The Company shall convey by any omnibus coach car or other road vehicle provided worked or used on a regular or periodical service in connection with or in extension of their railway system and habitually moved by mechanical power all such mails (with the officers of the Post Office in charge thereof) as may be tendered by the Postmaster-General for conveyance by such vehicle and shall receive and deliver such mails from or to any post office or officer of the Post Office on the route of such vehicle:

Provided that the conveyance of mails by every such vehicle shall be subject to the following rules :—

- (A) If the vehicle is intended to convey passengers only without luggage the Company shall not be bound to convey Post Office parcels :
- (B) If the vehicle is intended to convey passengers and their luggage but no goods or parcels the Company shall not be bound to convey Post Office parcels which in the aggregate exceed the limits of weight or size from time to time prescribed by the Company for the luggage of an ordinary passenger :
- (C) If the vehicle is intended to convey passengers and their luggage and parcels but not goods the Company shall not be bound to convey Post Office parcels exceeding in the aggregate such limits of weight and size as

may be agreed between the Company and the Postmaster-General or in default of agreement settled by arbitration : A.D. 1904.

(D) Except where the vehicle is in charge of a guard (other than the driver of the vehicle) and except in the case of a vehicle carrying goods the Company shall not be bound to convey any mails unless they are in charge of an officer of the Post Office.

(2) The remuneration for any services performed in pursuance of this section shall be such as may be from time to time determined by agreement between the Postmaster-General and the Company or in default of agreement by the Railway and Canal Commission and any question to be settled by arbitration under this section shall be determined by the said Commission.

(3) The expression "mails" has the same meaning as in the Regulation of Railways Act 1873 and the expression "Post Office parcel" means a parcel as defined by the Post Office (Parcels) Act 1882.

**43.** The Company may raise and apply for or towards any of the purposes of this Act to which capital is properly applicable any money which they are authorised to raise by any other Act or Acts and which may not be required for the special purposes (if any) for which that money was authorised to be raised. Power to apply existing funds.

**44.** Subject and without prejudice to the rights of the lessees of the East London Railway under the provisions of the East London Railway Act 1882 the East London Railway Company may notwithstanding anything to the contrary in the Lands Clauses Consolidation Act 1845 or in any Act relating to the East London Railway Company with which that Act is incorporated and notwithstanding the provisions of section 2 of the East London Railway Act 1885 retain and hold any lands belonging to them which have not yet been applied to the purposes of the East London Railway Company or sold or disposed of by them until the twentieth day of June one thousand nine hundred and fifteen. Extending time for sale of superfluous lands of East London Railway Company.

**45.** Nothing in this Act contained shall exempt the Company or their undertaking from the provisions of any general Act relating to railways or to the better and more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares Provision as to general Railway Acts.

[Ch. cviii.] *Great Eastern Railway (General Powers)* [4 EDW. 7.]  
*Act, 1904.*

A.D. 1904. and charges or of the rates for small parcels authorised by any Act  
Expenses of relating to the Company.  
Act.

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

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