

[8 Edw. 7.] *Great Eastern Railway (General Powers) [Ch. xv.]*
Act, 1908.



CHAPTER xv.

An Act for conferring further powers upon the Great Eastern Railway Company for extending the time limited by former Acts for the completion of works and the purchase of lands and for other purposes. A.D. 1908.

[18th June 1908.]

WHEREAS it is expedient that the Great Eastern Railway Company (in this Act called "the Company") be authorised to construct a bridge for foot passengers across their Northern and Eastern Railway in Enfield and to purchase the additional lands hereinafter described and to exercise the other powers by this Act specified :

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

And whereas it is expedient to extend the time for the sale of superfluous lands held (A) by the Great Northern and Great Eastern Joint Committee (B) by the Midland Railway Company and the Company jointly as owners of the Tottenham and Hampstead Junction Railway and (C) the Norfolk and Suffolk Joint Railways Committee as by this Act provided :

And whereas a plan and section showing the line situation 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

[Price 9d.]

A

I

[Ch. xv.] *Great Eastern Railway (General Powers)* [8 Edw. 7.]
Act, 1908.

A.D. 1908. — reputed owners and lessees and of the occupiers of such lands respectively were duly deposited as follows (that is to say):—

As regards the bridge and lands in the county of Middlesex with the clerk of the peace for that county as regards lands in the county of Hertford with the clerk of the peace for that county and as regards lands in the county of Essex with the clerk of the peace for that county;

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

And whereas the objects of this Act 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 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):—

Short title. 1. This Act may be cited as the *Great Eastern Railway (General Powers) Act 1908*.

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

The Lands Clauses Acts;

The provisions of the *Railways Clauses Consolidation Act 1845* with respect to the recovery of damages not specially provided for and of penalties and to the determination of any other matter referred to justices; and

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

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

Power to construct bridge. 4. 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 section the bridge described in this section with all necessary and convenient approaches 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. A.D. 1908.

The bridge hereinbefore referred to and authorised by this Act is—

A bridge in the parish and urban district of Enfield in the county of Middlesex over the Company's Northern and Eastern Railway commencing and terminating in and out of Ordnance Road Enfield at points respectively situate 50 yards or thereabouts westward and 85 yards or thereabouts eastward of the level crossing of the Company's said railway over that road at Enfield Lock Station.

5. In constructing the bridge the Company may deviate laterally from the line 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 bridge as shown on the deposited section to any extent not exceeding two feet upwards or downwards. Limits of deviation.

6. The Company when constructing the bridge may within the limits defined upon the deposited plans and in connection with the bridge and as part and for the purposes thereof make junctions and communications with Ordnance Road Enfield for the purpose of connecting the bridge with that road but full compensation shall be made to the owners or occupiers (if any) whose property shall be injuriously affected by the exercise of the powers of this section. Power to alter Ordnance Road Enfield.

7. The Company may for any purpose in connection with the bridge upon any lands acquired by them under the powers of this Act and also in Ordnance Road Enfield within the limits of deviation shown on the deposited plans raise sink or otherwise alter the position of any sewer watercourse drain water pipe gas pipe or hydraulic pipe belonging to or connected with any house or building adjoining or near to the bridge and also any main or other pipe for carrying a supply of gas or water or for hydraulic purposes or any pipe tube wire or apparatus laid down or used for telegraphic telephonic or electric purposes and may remove Power to alter drains pipes &c.

[Ch. xv.] *Great Eastern Railway (General Powers)* [8 Edw. 7.]
Act, 1908.

A.D. 1908. — any other obstruction to the construction of the bridge so as the same respectively be done with as little detriment and inconvenience as circumstances admit and making reasonable compensation to any company or person who suffers damage by such alteration subject to the following provisions:—

- (1) The Company shall not raise sink or otherwise alter or interfere with any pipe tube wire or other apparatus laid down or used for telegraphic or telephonic purposes by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878;
- (2) Nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply; and
- (3) The provisions of sections 19 to 23 of the Railways Clauses Consolidation Act 1845 shall with respect to the powers by this section conferred upon the Company be deemed to be incorporated with this Act and shall be construed as if "the railway" mentioned in those sections meant the bridge.

Regulation
of traffic
over bridge.

8. It shall be lawful for the Company from time to time to make regulations for the following purposes (that is to say):—

- (1) For limiting the user of the bridge to persons on foot whether with or without bicycles tricycles perambulators and such other similar vehicles as may be defined by such regulations and prohibiting the user thereof further or otherwise;
- (2) For prescribing the manner in which such persons shall be entitled so to use the bridge;
- (3) For prescribing and limiting the size and weight of any such vehicles as aforesaid to be taken over the bridge;
- (4) For prohibiting the user of the bridge otherwise than in accordance with such regulations:

Provided that no such regulations shall authorise the closing of the bridge except at any time when in consequence of any of

[8 EDW. 7.] *Great Eastern Railway (General Powers) Act, 1908.* [Ch. xv.]

the works being out of repair or from any other sufficient cause it shall be necessary to close the same. A.D. 1908.

The provisions of sections 109 110 and 111 of the Railways Clauses Consolidation Act 1845 shall apply to any regulations to be made by the Company under this section as if such sections had been incorporated with and formed part of this Act.

9.—(1) When the bridge has been completed and the Company shall have obtained a certificate of two justices of the peace acting for the county of Middlesex that the same has been completed to their satisfaction and is open for the use of foot passengers the Company may discontinue the level crossing referred to in the section of this Act of which the marginal note is "Power to construct bridge" for use by such foot passengers as may be entitled to use the bridge under any regulations made by the Company under the provisions of the section of this Act of which the marginal note is "Regulation of traffic over bridge." Power to discontinue level crossing for certain purposes.

(2) Before applying to the justices for their certificate the Company shall give to the council of the urban district of Enfield seven days' notice in writing of their intention to apply for the same.

(3) As from the date of the said certificate all rights of way for such foot passengers over the said level crossing shall be extinguished.

10. 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 railways 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 Provided that the said lands so already purchased or acquired by the Company shall for the purposes of section 3 of the Housing of the Working Classes Act 1903 be deemed to have been acquired under the powers of this section The lands above Power to Company to acquire additional lands.

[Ch. xv.] *Great Eastern Railway (General Powers)* [8 EDW. 7.]
Act, 1908.

A.D. 1908. referred to and by this section authorised to be entered upon
and taken appropriated and used are as follows:—

In the county of Hertford—

Lands in the parish of Broxbourne in the rural district of Ware situate to the south-westward of the Company's Broxbourne Station and forming part of the property numbered on the Ordnance map (scale $\frac{1}{2500}$ second edition 1898) 288 in the said parish:

In the county of Essex—

(A) Strips of land partly in the parish and urban district of Buckhurst Hill and partly in the parish of Chigwell in the rural district of Epping adjoining and on both sides of the Company's Woodford to Ilford Branch Railway extending from the junction of that railway with the Company's Loughton Epping and Ongar Branch Railway to the point at which the first mentioned railway crosses New Barns Lane Chigwell;

(B) Strips of land in the said parish of Chigwell adjoining and on the south side of the Company's said Woodford to Ilford Branch Railway and extending from Chigwell Road to the south-easternmost corner of the property numbered on the Ordnance map (scale $\frac{1}{2500}$ second edition 1896) 375 in the said parish;

(C) A strip of land partly in the said parish of Chigwell and partly in the parish and urban district of Ilford adjoining and on the western side of the Company's said Woodford to Ilford Branch Railway and extending from the point at which the said railway crosses the New North Road Ilford for a distance of 355 yards or thereabouts in a northerly direction.

Correction of errors &c. in deposited plans and books of reference.

11. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited books of reference the Company after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county in which such lands are situate for the correction thereof and if it appear to

the justices that the omission misstatement or wrong description arose from mistake they shall certify the same accordingly and they shall in their certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for such county and a duplicate thereof shall also be deposited with the clerk to the district council for the district in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerk with the other documents to which the same relate and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Company to take the lands or easements or rights in and over the same as the case may be and execute the works in accordance with such certificate.

A.D. 1908.

12. 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.

13. 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 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.

Persons under disability may grant easements &c.

14.—(1) The period now limited for the completion of the following work (namely):—

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

Extending time limited for completion of works authorised by former Acts.

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

(2) The period now limited for the completion of the following works (namely):—

- (B) The widening authorised by section 5 subsection 3 (A) of the Great Eastern Railway (General Powers) Act 1898

[Ch. xv.] *Great Eastern Railway (General Powers) Act, 1908.* [8 Edw. 7.]

A.D. 1908.

(in this section called "the Act of 1898") of the Company's siding or line of rails and of the bridge over the River Orwell mentioned respectively in that subsection; and

- (c) The works (widening of bridge at Ipswich and additional line or lines of rails) authorised by section 5 subsection 3 (c) of the Act of 1898;

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

(3) The period now limited for the completion of the following work (namely):—

- (d) The widening and improvement (No. 2) of the Company's main line at West Ham authorised by section 4 subsection (d) of the *Great Eastern Railway (General Powers) Act 1900*;

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

(4) The period now limited for the completion of the following work (namely):—

- (e) The laying down of an additional line or lines of rails at Woodbridge authorised by section 4 subsection (d) of the *Great Eastern Railway Act 1902*;

is hereby further extended for a period of four years from the twenty-third day of June one thousand nine hundred and eight.

15.—(1) The period now limited for the compulsory purchase of the following lands (namely):—

- (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) Hemming Street (formerly known as 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"); and
- (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;

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

Extending
time limited
for compul-
sory pur-
chase of
lands autho-
rised to be
acquired by
former Acts.

(2) The period now limited for the compulsory purchase of A.D. 1908.
the following lands (namely):—

- (c) 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 Great Eastern Railway (General Powers) Act 1901 (in this section called "the Act of 1901");

is hereby further extended for a period of three years from the twenty-sixth day of July one thousand nine hundred and eight except as regards the property on the deposited plans referred to in the Act of 1901 numbered 21 in the said parish of Saint Mary Stoke.

16. Notwithstanding anything contained in the Lands Extending
time for sale
of super-
fluous lands
of Company.
Clauses Consolidation Act 1845 (hereinafter referred to as "the Act of 1845") or in any Act which relates to the Company or to any other company whose undertaking is leased to the Company and which incorporates the Act of 1845 the periods for and within which the Company or any such other company may hold sell and dispose of any lands acquired before the passing of this Act and which either before or after the passing of this Act have or shall become superfluous within the meaning of section 127 of the Act of 1845 are hereby extended to the thirty-first day of August one thousand nine hundred and eighteen but this section shall not operate so as to shorten the period for and within which the Company or any such other company as aforesaid were immediately prior to the passing of this Act entitled to hold sell and dispose of any such lands.

17. Notwithstanding anything contained in the Act of 1845 Extending
time for sale
of super-
fluous lands
of certain
joint com-
mittees and
others.
or in any Act which relates to the Great Northern and Great Eastern Joint Committee and which incorporates the Act of 1845 the periods for and within which the Great Northern and Great Eastern Joint Committee may hold sell and dispose of any lands acquired before the passing of this Act and which either before or after the passing of this Act have or shall become superfluous within the meaning of section 127 of the Act of 1845 are hereby extended to the thirty-first day of August one thousand nine hundred and eighteen but this section shall not operate so as to shorten the period for and within which the Great Northern and Great Eastern Joint Committee were immediately prior to the passing of this Act entitled to hold sell and dispose of any such lands.

[Ch. xv.] *Great Eastern Railway (General Powers) Act, 1908.* [8 EDW. 7.]

A.D. 1908.

The provisions of this section shall also extend and apply to the Midland and Great Eastern Railway Companies in respect of lands held by them as joint owners of the Tottenham and Hampstead Junction Railway and to the Norfolk and Suffolk Joint Railways Committee respectively as if those companies and that Joint Committee respectively had been referred to in this section instead of the Great Northern and Great Eastern Joint Committee.

As to build-
ings upon
works of
Company.

18. In addition to the powers conferred upon the Company by section 48 of the Great Eastern Railway (Metropolitan Railways) Act 1870 it shall be lawful for the Company to grant leases of any buildings erected and the right of erecting and maintaining buildings over any part of the railways stations or works of the Company upon and subject to such covenants and conditions and with or subject to such rights reservations and easements as the Company think fit and such buildings shall not be deemed to be part of the undertaking of the Company charged with the general mortgage debt or debenture stock thereof:

Provided that notwithstanding anything contained in the London Building Acts 1894 to 1905 or any Act amending the same or any byelaws and regulations in force thereunder the Company may construct the foundations or supports of any such buildings in the administrative county of London erected over any of the railways stations or works of the Company up to the level of the lowest floor of any such buildings in such manner as they may think fit but no part of any such buildings foundations or supports above the level of the street shall be hereafter erected in advance of the general line of buildings or within the prescribed distance as respectively defined in the said Acts and save as aforesaid nothing in this section shall confer upon the Company their lessees or grantees any exemptions from any of the provisions of the said Acts byelaws and regulations Provided always that the Company shall continue to be entitled to the benefit of any special exemptions in favour of railway companies in the said Acts contained.

Repeal of
section 143 of
Act of 1862.

19. Section 143 of the Great Eastern Railway Act 1862 is hereby repealed.

Power to
apply exist-
ing funds.

20. 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

[8 EDW. 7.] *Great Eastern Railway (General Powers)* [Ch. xv.]
Act, 1908.

or Acts and which may not be required for the special purposes (if any) for which that money was authorised to be raised. A.D. 1908.

21. 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 and charges or of the rates for small parcels authorised by any Act relating to the Company. Provision as
to general
Railway
Acts.

22. 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. Expenses of
Act.

Printed by EYRE and SPOTTISWOODE,

FOR

ROWLAND BAILEY, Esq., M.V.O., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from

WYMAN AND SONS, LTD., FETTER LANE, E.C.; or

OLIVER AND BOYD, TWREDDALE COURT, EDINBURGH; or

E. PONSONBY, 110, GRAYTON STREET, DUBLIN.

WYRE AND SPOTTISWOODE, LTD. EAST HARDING STREET,