



CHAPTER xlviii.

An Act for empowering the Central London Railway Company to construct subways and works to confer further powers on that Company and on the Metropolitan District Railway Company the London Electric Railway Company and the Southern Railway Company and for other purposes. A.D. 1924.
[14th July 1924.]

WHEREAS the Central London Railway Company (hereinafter called "the Central Company") and the Metropolitan District Railway Company (hereinafter called "the District Company") have constructed and are working underground railways for carrying and dealing with the traffic of the metropolis and such railways are together with the railways of the London Electric and City and South London Railway Companies worked and managed as one general system with facilities for through and interchange traffic :

And whereas the works and powers hereinafter mentioned will benefit the general system of railways and the traffic thereon and the convenience of the public :

And whereas it is expedient that the Central Company should be authorised to construct subways and works in connection with and for the improvement of their existing Bond Street station as in this Act provided :

And whereas it is expedient that the powers conferred upon the Central Company by the Central London and Metropolitan District Railway Companies (Works) Act 1920 for and in connection with the extension of their

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A.D. 1924. railway from Shepherds Bush to join the Kensington and
— Richmond branch of the Southern Railway Company
should be extended as hereinafter provided :

And whereas it is expedient that the powers for the compulsory purchase of lands and easements conferred upon the District Company and the Metropolitan Railway Company by the Metropolitan District Railway Act 1913 and the said Act of 1920 and upon the District Company by those Acts and by the Metropolitan District Railway Acts of 1910 and 1915 should be further extended as hereinafter provided :

And whereas it is expedient that the powers in this Act mentioned should be conferred on the Central Company the District Company the London Electric Railway Company and the Southern Railway Company and that such other provisions should be made as are in this Act hereinafter contained :

And whereas plans and sections showing the lines and levels of the subways and works authorised by this Act and plans of the lands authorised to be acquired and in and under which easements are authorised to be acquired and also a book of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of London and are hereinafter respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes 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 :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Central London and Metropolitan District Railway Companies Act 1924.

2. This Act is divided into Parts as follows:—

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Part I.—Preliminary.

Division
of Act
into Parts.

Part II.—Construction of subways and works by and provisions relating to the Central London Railway Company.

Part III.—Provisions relating to the Metropolitan District Railway Company and certain other railway companies.

Part IV.—Miscellaneous.

3. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say):—

Incorporation of
general
Acts.

The Lands Clauses Acts :

Provided that notwithstanding anything contained in the Lands Clauses Consolidation Act 1845 any question of disputed compensation under this Act or any Act incorporated herewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon by the Central Company and the person claiming the compensation or in default of such agreement appointed by the Board of Trade on the application of either party ;

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the following matters or contained in the following sections thereof (that is to say):—

The construction of the railway and the works connected therewith ;

The temporary use of lands ;

The settlement of disputes by arbitration ;

Sections 138 and 139 (as to service of notices and tender of amends) ; and

The recovery of damages not specially provided for and of penalties and the determination of any other matter referred to justices ; and

Part I. (Relating to the construction of a railway) and Part II. (Extension of time) of the Railways Clauses Act 1863.

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The provisions aforesaid with regard to the construction of the railway and works connected therewith shall for the purposes of this Act be construed and read as though "subway" were therein substituted for "railway."

Interpretation.

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

The expression "the Central Company" means the Central London Railway Company;

The expression "the District Company" means the Metropolitan District Railway Company;

The expressions "the subway" and "the subways" mean the subways and works in connection therewith or incidental thereto by this Act authorised;

The expressions "the Act of 1891" "the Act of 1901" "the Act of 1907" "the Act of 1909" "the Act of 1913" and "the Act of 1914" mean the Central London Railway Acts 1891 1901 1907 1909 1913 and 1914 respectively;

The expression "the Act of 1920" means the Central London and Metropolitan District Railway Companies (Works) Act 1920;

The expressions "the District Act of 1910" "the District Act of 1913" and "the District Act of 1915" mean the Metropolitan District Railway Acts 1910 1913 and 1915 respectively;

The expressions "parish clerks" and "clerks of the several parishes" in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall mean the town clerks of the metropolitan boroughs.

PART II.

CONSTRUCTION OF SUBWAYS AND WORKS BY AND PROVISIONS RELATING TO THE CENTRAL LONDON RAILWAY COMPANY.

Power to Central Company

5. Subject to the provisions of this Act the Central Company may make and maintain in the lines and according to the levels shown on the deposited plans and

sections the subways and works hereinafter described with all necessary and convenient tunnels shafts lifts escalators inclines stairs approaches passages stagings sewers drains pipes wires apparatus plant machinery appliances works and conveniences connected therewith or incidental thereto and may subject as aforesaid enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes :

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to make works.

Provided always that nothing in this Act shall authorise the Central Company (except for the purpose of making trial borings and except as provided by the section of this Act of which the marginal note is "Restrictions on breaking up surface of streets") to enter upon take or use the surface of any public street or road but (subject as aforesaid) the Central Company may appropriate and use without payment of compensation therefor the subsoil and under surface of any public street road footway or place shown on the deposited plans and described in the deposited book of reference or so much thereof as shall be necessary for the purposes of the Central Company.

6. The subways and works hereinbefore referred to and authorised by this Act will be situate in the county of London and are :—

Description of works.

A subway (No. 1) partly in the metropolitan borough and city of Westminster and partly in the metropolitan borough of Saint Marylebone commencing in the metropolitan borough and city of Westminster in the booking hall of the Bond Street station of the Central Company at a point 22 yards or thereabouts west of the north-east corner of the premises (No. 375 Oxford Street) at the junction of Davies Street with Oxford Street and terminating in the metropolitan borough of Saint Marylebone in or under Oxford Street at a point 30 yards or thereabouts measured in a south-westerly direction from the south-east corner of the premises (No. 356 Oxford Street) at the junction of Stratford Place with Oxford Street.

A subway (No. 2) wholly in the metropolitan borough of Saint Marylebone commencing by a junction with subway No. 1 under Stratford Place Mews

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at a point 13 yards or thereabouts north of Oxford Street and terminating in or under Oxford Street at a point 20 yards or thereabouts measured in a south-westerly direction from the south-east corner of the premises (No. 356 Oxford Street) at the junction of Stratford Place with Oxford Street.

Owners may be required to grant easements only under certain properties.

7. With respect to the properties shown on the deposited plans which are described or referred to in the First Schedule to this Act notwithstanding anything contained in this Act or the said plans the Central Company shall not be required to purchase or take the same or any part of the surface thereof but the Central Company may purchase and take and the owners of and other persons interested in any such property shall sell an easement or right of using the subsoil and under surface thereof for the purposes of the undertaking of the Central Company and the provisions of the Lands Clauses Acts with respect to lands shall subject to the provisions of this Act extend and apply to such easement or right of user except that no such easement or right of user shall be deemed part of a house or other building or manufactory within the meaning of section 92 of the Lands Clauses Consolidation Act 1845 and that any question of disputed purchase money or compensation under this section shall be settled by arbitration in manner prescribed by the said Acts as varied by this Act Provided always that nothing in this section contained shall apply to any of the said properties the ground surface of which is at a less height than twenty feet above the crown of the subways as the same shall be constructed.

Owners may be required to sell parts only of certain lands and buildings.

8. And whereas in the construction of the subways and works authorised by this Part of this Act or otherwise in the exercise of the powers of this Part of this Act by the Central Company it may happen that portions only of certain properties 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 properties described in the Second Schedule to this Act and whereof parts only are required for the purposes of this Part of this Act may if such portions can in the opinion of the jury arbitrator 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 Central Company the portions only of the properties so required without the Central Company being obliged or compellable to purchase the whole or any greater portion thereof the Central Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other persons interested therein by severance or otherwise.

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9. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the dates of such acquisition be extinguished :

As to private rights of way over lands taken compulsorily.

Provided that the Central Company shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses Acts as varied by this Act with reference to the taking of lands otherwise than by agreement.

10. In the execution of the subways and works by this Part of this Act authorised but subject to the provisions of this Act the Central Company may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon. Provided always that nothing in this section contained shall authorise the Central Company to deviate from the said lines so that any part of the subways and works shall extend under the front wall (above the street level) of any house or building abutting upon any street under and along which the works are constructed unless such house or building shall have been purchased by the Central Company or the consent in writing of the owners, lessees and occupiers thereof shall have been first obtained but this proviso shall not apply in any case where the Central Company shall acquire an easement or right of using the subsoil.

Power to deviate laterally.

11. In the execution of the subways and works by this Part of this Act authorised but subject to the provisions of this Act the Central Company may deviate vertically from the levels thereof marked on the deposited

Power to deviate vertically.

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Restric-
tions on
breaking
up surface
of streets.

12. Except as hereinafter provided the Central Company shall not break up or disturb the surface of any street or road for the purpose of constructing the subways and works nor open or make any ventilators air shafts or other similar openings in any roadway or footway but nothing herein contained shall restrict the right of the Central Company to the use of streets or roads for purposes of ordinary traffic or of access to or in connection with any of their lands or buildings or take away or diminish any rights which they would have as owners or occupiers of lands or buildings abutting upon any street or road :

Provided always that subject to the provisions of this Part of this Act the Central Company for the purpose of constructing and maintaining the subways and works lifts escalators approaches and other works and conveniences connected therewith may enter upon and open up temporarily the surface of the ground and of the roadways and footways of Oxford Street between the junction thereof with Davies Street and the junction thereof with Gilbert Street.

Compensa-
tion for
damage by
working of
subways.

13.—(1) In addition to the provisions of the Acts incorporated herewith with respect to compensation for lands taken or injuriously affected the Central Company shall make compensation to the owner lessee and occupier of any land house or building which shall be injuriously affected by reason of the working of the subways by this Part of this Act authorised including the working of escalators and any other works in or in connection with the said subways notwithstanding that no part of the property of such owner lessee or occupier is taken by the Central Company Provided that all claims for compensation under this section shall be made within two years from the date when the Central Company shall first open the said subways respectively for the use of passengers and shall be settled by a single arbitrator under and subject to the provisions of the Arbitration Act 1889 save that where the parties do not concur in the appointment of an arbitrator the Minister of Transport shall have the power of the court or a judge under section 5 of the said Act.

(2) An arbitrator under this section may with the consent of all parties concerned hear together any class or group of claims under this section.

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14. In settling any question of disputed purchase-money or compensation payable under this Act by the Central Company the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the thirty-first day of October one thousand nine hundred and twenty-three if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently altered buildings acquired by Central Company.

15. The Central Company and their surveyors solicitors officers contractors and workmen may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice enter upon and into the lands houses and buildings by this Act authorised to be taken and used as aforesaid or any of them or any lands houses and buildings which may be affected by the construction of the subways and works for the purpose of surveying inspecting and valuing the said lands houses and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands houses and buildings.

Power to Central Company to enter upon property for survey and valuation.

16. The provisions contained in the sections of the Acts of 1891 1901 1907 1909 1913 1914 and 1920 which are mentioned or referred to in the Third Schedule to this Act (subject to any amendment or variation by this Act) are incorporated with and form part of this Act and shall so far as applicable extend and apply to the Central Company and to the subways and works by this Part of this Act authorised the roads under and along which the same are to be made the lands by this Act authorised to be acquired the several bodies or persons named or referred to in those sections as fully and effectually to all intents and purposes as if those provisions

Incorporating certain provisions of existing Acts of Central Company.

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— had been expressly re-enacted in this Act with reference thereto respectively. Provided always that wherever in those provisions district boards of works or vestries are mentioned or referred to the same shall be read and construed as if the Westminster and Marylebone Borough Councils had been mentioned or referred to therein instead of board of works or vestry and that in construing for the purposes of this Part of this Act section 85 of the Act of 1891 the expression "the protected companies" shall mean and include the council of the metropolitan borough of Saint Marylebone (in so far as that council's works for the supply of electrical energy are concerned) the Metropolitan Electric Supply Company Limited the London Electric Supply Corporation Limited the St. James' and Pall Mall Electric Light Company Limited the Westminster Electric Supply Corporation Limited the Central Electric Supply Company Limited and the Charing Cross West End and City Electric Supply Company Limited and any other company or companies now or hereafter authorised by Act or Order under the Electricity (Supply) Acts 1882 to 1922 which may have lawfully laid electric linking up mains within the limits of deviation shown on the deposited plan before the commencement of the construction of the subways and works by this Act authorised. Provided further that section 97 of the Act of 1891 and subsection (3) of section 21 and section 42 of the Act of 1913 shall for the purposes of their application to this Part of this Act be read and construed as if the subways and works by this Part of this Act authorised had been mentioned or referred to therein instead of "the railway" or "the railways."

As to
section 96
of Act of
1891.

17. The provisions of section 96 (For the protection of the Westminster Electric Supply Corporation Limited) of the Act of 1891 shall not apply to the construction and user of the subways and works by this Part of this Act authorised.

Period for
completion
of works.

18. If the subways and works by this Part of this Act authorised be 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 Central Company for making and completing the subways and works or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

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19. The powers of the Central Company for the compulsory purchase of lands and easements for the purposes of this Part of this Act shall cease after the expiration of three years from the passing of this Act.

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Period for compulsory purchase of lands.

20. With reference to so much of the subways and works by this Part of this Act authorised as will be made in the city of Westminster (in this section referred to as "the city") and for the protection of the council of the city (in this section referred to as "the city council") the following provisions shall unless otherwise agreed in writing between the Central Company and the city council have effect (that is to say):—

For protection of Westminster City Council.

- (1) The Central Company shall not alter or in any way interfere with any refuge sewer drain pipe lamp column or other property vested in the city council without the previous consent in writing of the city council which shall not be unreasonably withheld:
- (2) The Central Company shall repay to the city council all reasonable expenses incurred by the city council in executing any necessary alterations or reconstructions of any roadways footways refuges sewers drains pipes lamp columns or other property of the city council consequent on the execution by the Central Company of the works authorised by this Act Any such works of alteration or reconstruction shall be executed by the city council with all reasonable dispatch:
- (3) The Central Company shall not under the powers of this Act enter upon or open up any part of the surface of any street in the city or cart away soil in the city except in either case upon such conditions as may be agreed between the Central Company and the city council or failing agreement as may be determined by arbitration and except under the supervision of the engineer of the city council and the Central Company shall give to the city council not less than fourteen days' previous notice in writing of their intention to enter upon and open up the surface of any such street:
- (4) The Central Company shall not deposit any subsoil or materials anywhere within the city

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so as to cause any nuisance or obstruction to any person using the streets roads or footways within the city :

- (5) It shall not be lawful for the Central Company to remove any soil or material from under any road within the city except such as must be excavated in the carrying out of the works by this Act authorised :
- (6) The Central Company shall make full compensation to the city council for any subsidence of or damage to any road or footway sewer drain or other work vested in or under the jurisdiction or control of the city council which may be caused by or in consequence of the act or default of the Central Company their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the said works by the Central Company or at any time thereafter :
- (7) Notwithstanding anything contained in this Act the Central Company shall not make any permanent access to the subways under Oxford Street by this Act authorised through any part of the surface of the roadway or footway of any street in the city :
- (8) Where any part of any road or footway in the city shall have been broken up or disturbed by the Central Company the Central Company shall make good the subsoil foundations and surface of such road or footway to the reasonable satisfaction of the city council Provided always that the reinstatement of any road or footway broken up or disturbed by the Central Company shall in the first instance be of a temporary nature only and the permanent reinstatement of any such road or footway shall be carried out by the city council at the cost of the Central Company :
- (9) In connection with the works by this Act authorised it shall not be lawful for the Central Company to place any hoarding in any part of any public road or footway in the city except in such position and of such extent as shall be

agreed with the city council or failing agreement determined by arbitration and for such periods as shall be reasonably necessary for carrying out the said works and no such hoarding shall be erected except under the provisions of the Metropolis Management Act 1855 and the London Building Act 1894 and any Act or Acts amending the same :

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- (10) The Central Company shall not affix or exhibit or permit to be affixed or exhibited upon any street hoarding which may be erected during and for the purposes of the construction of works authorised by this Act any placards or advertisements except such as shall have been approved in writing by the town clerk or other duly authorised officer of the city council which approval shall not be unreasonably withheld :
- (11) All tunnels arches and other works shall be constructed and maintained by the Central Company in such manner as at all times to support not only the ordinary traffic and any other exceptional traffic lawfully using the streets within the city but also any steam roller or other apparatus that the city council or its contractors for the time being may use for repairing the streets or roadways under its control and the Central Company shall indemnify the city council against and make good to it all costs and expenses that the city council may reasonably incur or be put to by reason of any defect or insufficiency in strength in any tunnels arches or works or any neglect to properly and effectually maintain the same as aforesaid or in the construction or user of the works by this Act authorised :
- (12) Any matter to be determined by arbitration under this section and any difference which shall arise between the city council or its engineer and the Central Company under any of the provisions of this section shall be referred to an engineer to be agreed on between the Central Company and the city council or failing agreement to be appointed on the application of either party by the President of the Institution

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of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration :

- (13) The provisions of any Act incorporated with this Act which are inconsistent with the provisions of this section shall not apply in the city.

For pro-
tection of
Saint
Marylebone
Borough
Council.

21. Notwithstanding anything contained in this Act the following provisions for the protection and benefit of the mayor aldermen and councillors of the metropolitan borough of Saint Marylebone (in this section called "the council") shall except so far as may be otherwise agreed in writing between the Central Company and the council apply and have effect (that is to say) :—

- (1) Before commencing any part of the works by this Part of this Act authorised within five feet of the surface of Oxford Street the Central Company shall submit plans of such works to the council and shall only carry out such works in such manner as the council shall approve such approval not to be unreasonably withheld :
- (2) Before commencing to make any part of the works by this Part of this Act authorised which will involve interference with a public highway in the borough of Saint Marylebone or repairable by the council the Central Company shall consult the council as to the time when the works shall be commenced and as to the extent of the surface of the highway that it may be reasonably necessary for the Central Company to occupy in the construction of the works and as to the conditions under which they shall be constructed so as to reduce so far as possible the public inconvenience and the works shall not be made except at the time and in accordance with conditions agreed between the Central Company and the council or in default of agreement determined by arbitration :
- (3) In the construction of the works authorised by this Part of this Act the Central Company shall not deviate upwards from the levels shown on the deposited sections without the consent of the council such consent not to be unreasonably withheld :

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- (4) The Central Company's works so far as they involve any interference with Oxford Street shall after the commencement thereof be carried on continuously day and night and the Central Company shall use materials of such description and shall take all such steps as may be reasonably necessary to reduce so far as possible the period of such interference :
- (5) The Central Company shall not make any permanent access to the subways by this Part of this Act authorised through any part of the surface of Oxford Street :
- (6) The works shall be constructed maintained and kept in proper repair by the Central Company so as at all times to support not only the ordinary traffic and any exceptional traffic using the streets but also any apparatus which the council or their contractors may use for repairing the streets under the control of or repairable by the council and the Central Company shall indemnify the council against and make good to them all costs and expenses the council may reasonably incur or be put to by reason of any defect or insufficiency of the strength of the works or any neglect properly and effectually to construct maintain and keep in good repair the same or by reason of the construction or user of the works :
- (7) It shall be lawful for the surveyor or other officer of the council duly appointed for the purpose at all reasonable times to enter upon and inspect any works executed under the powers of this Part of this Act in the said borough or in or under Oxford Street during the execution thereof and the Central Company shall give to such surveyor or officer all reasonable facilities for such inspection and if he shall be of opinion that the construction of the works or other operations of the Central Company are attended with danger to any buildings sewer drain or work belonging to or under the jurisdiction or control of the council the Central Company shall adopt such measures and precautions as may be

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considered necessary for the purpose of preventing any damage or injury thereto and in the event of any difference arising between the council and the Central Company with reference thereto such difference shall be referred to arbitration:

- (8) The Central Company shall not alter disturb or in any way interfere with any refuge sewer drain main pipe wire lamp column or other property or works of the council or under their control or repairable by them without their consent in writing which shall not be unreasonably withheld and any alteration diversion or reconstruction of any such refuge sewer drain main pipe wire lamp column or other property or works that may be necessary shall be made by the council or the Central Company as the former shall think fit and any costs and expenses reasonably incurred by the council in so doing shall be recoverable by them in a summary manner:
- (9) If any extra expense be incurred by the council for the repair of the roads of the council by reason of the extraordinary traffic in the making or construction of the works authorised by this Part of this Act the Central Company shall repay the amount of such expense to the council:
- (10) The Central Company shall not without the consent of the council which shall not be unreasonably withheld permit any cart or vehicle to be loaded in Oxford Street:
- (11) The Central Company shall not deposit any subsoil or materials anywhere within the said borough so as to cause any nuisance or obstruction to any person using the streets roads or footways within the borough:
- (12) Where any part of any road or footway belonging to or repairable by the council shall have been broken up or disturbed by the Central Company the Central Company shall make good the subsoil foundations and surface of such road or footway to the reasonable satisfaction of the council

Provided that the reinstatement of any road or footway broken up or disturbed by the Central Company shall in the first instance be of a temporary nature only and the permanent reinstatement of any such road or footway shall be carried out by the council at the cost of the Central Company: A.D. 1924.

- (13) It shall not be lawful for the Central Company in the exercise of the powers of this Act to place any hoardings on any part of any highway belonging to or repairable by the council except for such period as may be necessary and then only in such manner as shall be reasonably necessary and no such hoarding shall be erected except under the provisions of the Metropolis Management Act 1855 or any amendment thereof and the Central Company shall not affix exhibit or permit to be affixed or exhibited upon any such hoarding as aforesaid any advertisement or placard which is visible from the street unless the same shall have been approved in writing by the council which approval shall not be withheld unreasonably and if any such advertisement or placard be affixed or exhibited without such approval the council and their authorised officers may remove the same:
- (14) The Central Company shall make full compensation to the council for any subsidence of or damage to any road or footway sewer drain or other work vested in under the control of or repairable by the council which may be caused by or in consequence of any act or default of the Central Company their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the works or at any time thereafter:
- (15) Except as by this Act otherwise provided nothing in this Act contained shall extend or be construed to take away prejudice or lessen any of the powers rights privileges or authorities of the council:
- (16) For the purposes of this section the expression "Oxford Street" includes so much of that street whether situate in the borough of Saint Marylebone or not as is repairable by the council:

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(17) Any difference which may arise under the provisions of this section between the council and the Central Company shall be from time to time referred to and determined by an engineer to be agreed upon or failing such agreement by an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protection of Metropolitan Water Board.

22. For the protection of the Metropolitan Water Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the Company and the board have effect (that is to say):—

(1) The following modifications of section 85 of the Act of 1891 (which by the section of this Act whereof the marginal note is "Incorporating certain provisions of existing Acts of Central Company" is incorporated with this Act and is by section 24 of the Act of 1907 which is also incorporated with this Act by the same section made applicable to the board) shall in its application to the board and their mains pipes valves hydrants plugs or other works or apparatus (in this section referred to as "apparatus") have effect (that is to say):—

(a) The period of twenty-eight days shall be substituted for the period of fourteen days mentioned in subsections (1) and (2) of section 85 of the Act of 1891 and the period of fourteen days shall be substituted for the period of seven days mentioned in the said subsection (1);

(b) The President of the Institution of Civil Engineers shall be substituted for the Board of Trade in subsection (8) of the said section:

(2) The Central Company shall not remove raise sink or otherwise alter the position of any apparatus of the board or do anything which may impede access by the board to such apparatus or the passage of water into or through the same without the consent in writing of the engineer of the board or his duly authorised representative

(in this section referred to as "the said engineer") which shall not be unreasonably withheld or in any manner other than the said engineer shall reasonably approve nor (with such consent and approval) until such good and sufficient apparatus as the said engineer may reasonably consider necessary for continuing the supply of water has been first provided and laid down and made ready for use to the satisfaction of the said engineer. In the event of any dispute arising under this subsection such dispute shall be settled by arbitration as hereinafter provided:

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- (3) The Central Company in executing any works under this Act or in removing raising sinking or otherwise altering the position of any apparatus of the board shall make good all damage done by them to the apparatus or other property of the board and shall make reasonable compensation to the board for any loss or damage which they may sustain by reason of any interference with their apparatus or property:
- (4) The Central Company shall not raise sink or otherwise alter the position of any apparatus of the board or alter the level of any street or road in which any such apparatus is situate so as to leave over such apparatus a covering of either less than three feet or more than five feet unless in the case of any mains or pipes of the board so raised sunk or altered or affected by any such alteration of the level of a street or road they substitute with the consent of the said engineer (which consent shall not be unreasonably withheld) for such mains or pipes steel mains or pipes encased in concrete of dimensions not less than those of the existing mains or pipes:
- (5) All works to be executed or provided in connection with any apparatus of the board shall be so executed and provided by and at the expense of the Central Company but to the reasonable satisfaction and under the superintendence (if after reasonable notice he shall choose to attend) of the said engineer and the reasonable costs charges and expenses of such superintendence shall be paid by the Company:

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- (6) Notwithstanding anything contained in the section of this Act of which the marginal note is "Power to deviate vertically" the Central Company shall not execute any works within twenty feet from the surface of any street or road in or under which any apparatus of the board is situate or otherwise interfere with the subsoil of such street or road within that depth except with the consent in writing of the board which consent shall not be unreasonably withheld and upon and subject to such terms and conditions as the board may reasonably attach to any consent given by them. In the event of any dispute arising under this subsection such dispute shall be settled by arbitration as hereinafter provided:
- (7) Where any inclined tunnel or shaft is constructed by the Central Company for the purpose of any stair or escalator within ten feet measured in any direction from any apparatus of the board the Central Company shall execute such works as the said engineer may reasonably require for supporting such apparatus and if the board in their discretion deem it necessary so to do they may substitute steel tubes encased in concrete for any mains or pipes within the said distance from such tunnel or shaft and the Central Company shall on demand repay to the board the cost incurred by them in so doing:
- (8) The Central Company shall not except with the consent of the board (which consent shall not be unreasonably withheld) execute or do any work which may involve any interference with the continuous supply of water by the board during the months of May June July August and September in any year:
- (9) If any difference shall arise between the Central Company and the board or the said engineer under the provisions of this section (other than a difference as to the construction or meaning of the said provisions) such difference shall be settled in accordance with the provisions of subsection (8) of section 85 of the Act of 1891 as modified by this section:

- (10) The provisions of this section shall except as otherwise expressly provided be in addition to and not in substitution for or derogation of any other provision of this Act to the benefit of which the board would otherwise be entitled. A.D. 1924. —

23. For the protection of the Improved Industrial Dwellings Company Limited (in this section referred to as "the owners") the following provisions shall unless otherwise agreed between the Central Company and the owners have effect (that is to say):—

For protection of Improved Industrial Dwellings Company Limited.

- (1) Notwithstanding anything in this Act or on the deposited plans or in any enactment incorporated with or applied to the provisions of this Act the Central Company shall not under the powers of this Act enter upon take or use any lands or property of the owners except that they may enter upon and use temporarily for a period not exceeding two years and for the purposes mentioned in subsection (2) of this section and subject to the other provisions of this section so much of the lands held by the owners in connection with Cavendish Buildings as is coloured pink and hatched black on the plan signed by Messrs. Mott Hay and Anderson on behalf of the Central Company and Francis Douglas Fox on behalf of the owners which portion of lands is hereinafter referred to as "the said lands":
- (2) Before the Central Company enter upon the said lands they shall give to the owners not less than one month's previous notice of their intention so to do and the said lands shall be used by the Central Company only for the purposes of constructing the shaft and adit hereinafter mentioned and of removing soil and materials excavated by them in the construction thereof and of the subways and works authorised by this Part of this Act and of conveying over the same plant materials and apparatus required for the purposes of such construction:
- (3) The Company shall not make any excavation in any part of the said lands except within the

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rectangle marked on the said plan "C D E F" which rectangle may be excavated by the Central Company to a depth of not exceeding fifteen feet from the present surface thereof for the purpose of constructing a shaft and an adit leading therefrom towards the said subways. The said shaft shall be sufficiently lined and the said adit shall be sufficiently encased and properly connected up with the shaft all to the reasonable approval of the owners or (if such approval is unreasonably withheld) of an arbitrator to be appointed as hereinafter provided:

- (4) The said shaft and adit shall be used by the Central Company only for the purposes of hoisting soil and materials excavated in the construction of the said subways and works and of lowering plant materials and apparatus for the purposes of the construction of the said subways and works and the portion of the said lands which is situate between the said rectangle and Robert Street shall be used only for the conveyance over the same of such soil materials and apparatus:
- (5) All plant and machinery used for the purposes of such hoisting lowering and conveyance shall be electrically driven and the motive power shall be provided and applied in such manner as shall be previously approved by the owners' engineer or (if his approval is unreasonably withheld) by an arbitrator to be appointed as hereinafter provided. No other plant or machinery of any kind whatsoever shall be installed or used on the said lands nor shall any lavatory or latrine be installed on the owners' lands and in the event of horse traction being employed the lands of the owners shall be kept in a clean and sanitary condition:
- (6) Before the Central Company commence to convey any such soil materials plant or apparatus as aforesaid over the portion of the said lands between the said rectangle and Robert Street the Central Company shall to the approval of

the owners' engineer or (if his approval is unreasonably withheld) of an arbitrator to be appointed as aforesaid— A.D. 1924.

(i) Lay down along the said portion of the said lands a suitable flooring for the purpose of protecting from injury or interference all sewers drains manholes waterpipes and other apparatus thereunder connected with Cavendish Buildings; and

(ii) Erect along the west side of the said portion of the said lands a close boarded and painted hoarding of not less than sixteen feet in height but at no point shall the portion of the hoarding which is above a horizontal plane through the top of the window sills of the half basement floor of Cavendish Buildings subtend at any of those window sills an angle larger than forty-five degrees :

- (7) The Central Company shall not convey any soil materials plant or apparatus over the said lands between the said rectangle and Robert Street between the hours of 7 p.m. and 7 a.m. on any day :
- (8) All lights to be placed by the Central Company on or above the said lands or in proximity thereto shall be electric and screened from Cavendish Buildings to the reasonable approval of the owners and the Central Company shall take all such precautions and do all such things as will as far as reasonably practicable minimise any noise resulting from the user of the said lands and of the said shaft and adit and any other nuisance or annoyance being caused by such user to the tenants of Cavendish Buildings :
- (9) The Central Company shall during the whole of the period when they are in occupation of the said lands provide all proper facilities and means of access for the authorised representatives of the owners to any manholes sewers drains pipes or other apparatus under the said lands and the said representatives of the owners shall at all reasonable times be entitled to enter on the

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said lands and inspect or construct any works of repair or otherwise to such manholes sewers drains pipes and apparatus :

- (10) The Central Company shall repay to the owners any additional premium which the owners may be required to pay for insuring Cavendish Buildings and the premises of the owners connected therewith against fire so far as such additional premium is due to the works or operations of the Central Company :
- (11) The owners' engineer shall be entitled at all reasonable times to enter on the said lands and inspect and watch any works or operations of the Central Company and if in the opinion of the said engineer any additional steps or precautions ought to be taken by the Central Company for the purpose of minimising noise and nuisance or annoyance to the tenants of Cavendish Buildings the Central Company shall adopt such additional measures and precautions for the purposes aforesaid as may be reasonably required by the said engineer or determined by an arbitrator :
- (12) On the completion of the said subways and works or at the expiration of two years from the date when the Central Company shall commence to use the said lands for the purposes of this Act whichever event shall first happen the Central Company shall to the reasonable satisfaction of the owners' engineer remove the lining and backing of any shaft constructed on the said rectangle and fill in any excavation on the said rectangle and remove the flooring on and hoarding along the east side of the portion of the said lands between the said rectangle and Robert Street and remove any other works and things of the Central Company situate on or under the said lands and restore and make good the soil and surface of the said lands :
- (13) The Central Company shall on demand pay to the owners the reasonable costs and expenses incurred by them in connection with the approval of any plans and other matters by the owners'

engineer under this section and the inspection and watching by the said engineer of any works constructed or operations performed by the Central Company on the said lands:

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- (14) Any difference which shall arise between the Central Company on the one hand or the owners or their engineer on the other hand under this section and any matter which by this section is required to be referred to an arbitrator shall be referred to a single arbitrator to be agreed between the Central Company and the owners or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and the provisions of the Arbitration Act 1889 shall apply to the reference.

24. The Central Company may apply to the purposes of this Act or to the general purposes of their undertaking being in all cases purposes to which capital is properly applicable any of the moneys which they are by any Act relating to the Central Company authorised to raise and which may not be required for the purposes of those Acts respectively.

Application of funds.

25. The powers granted to the Central Company by the Act of 1920 for the construction and completion by the Central Company of the railways and works thereby authorised are hereby extended and shall continue in force and may be exercised for and during the period ending on the fourth day of August one thousand nine hundred and twenty-nine.

Extension of time for completion of railways authorised by Act of 1920.

26. The powers granted to the Central Company by the Act of 1920 for the compulsory purchase of lands for the purposes of the railways and works authorised by the Act of 1920 (which powers were extended by an Order of the Minister of Transport dated the fourth day of October one thousand nine hundred and twenty-two) are hereby extended and shall continue in force and may be exercised for and during the period ending on the fourth day of August one thousand nine hundred and twenty-seven.

Extension of time for compulsory purchase of lands authorised by Act of 1920.

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—
Extensions
of time for
payment of
interest out
of capital.

27. The time limited for the payment by the Central Company of interest out of capital:—

- (a) by section 36 (Payment of interest out of capital during construction) of the Act of 1920 on shares or stock as therein mentioned;
- (b) by section 38 (Power to charge interest on debenture stock out of capital during construction) of the Act of 1920 on debenture stock as therein mentioned;

is hereby extended to the fourth day of August one thousand nine hundred and twenty-nine or such less period as the directors may determine and those sections as so extended shall respectively extend and apply to shares or stock or debenture stock created or issued for the purposes of this Act or other purposes to or on which capital may under the provisions of this or any other existing Act relating to the Central Company be applied or expended.

PART III.

PROVISIONS RELATING TO THE METROPOLITAN DISTRICT
RAILWAY COMPANY AND CERTAIN OTHER RAILWAY
COMPANIES.

Extensions
of time for
compulsory
purchase of
lands by
District
Company.

28. The powers granted to the District Company—

- (a) by the District Act of 1910 for the compulsory purchase of the footbridge over the railway of the District Company at the Mansion House Station in the parish of the city of London in the county of the city of London which powers were extended by the Orders specified in Parts II. and III. of the Fourth Schedule hereto;
- (b) by the District Act of 1913 for the purchase of lands and easements in the parish and metropolitan borough of Fulham in the county of London which powers were extended by the Orders specified in Parts I. II. and III. of the Fourth Schedule hereto;
- (c) by the District Act of 1915 for the purchase of the lands and easements in the parish and

metropolitan borough of Hammersmith in the county of London which powers were extended by the Orders specified in Parts II. and III. of the Fourth Schedule hereto; A.D. 1924.

are hereby extended and shall continue in force and may be exercised for and during the period ending on the fourth day of August one thousand nine hundred and twenty-seven.

29.—(1) The powers granted to the District Company and the Metropolitan Railway Company or either of them— Extensions of time for compulsory purchase of lands by District Company and Metropolitan Railway Company.

(a) by the District Act of 1913 for the purchase of lands and easements in the parish of St. Mary Whitechapel in the metropolitan borough of Stepney in the county of London which powers were extended by the Orders specified in Parts I. II. and III. of the Fourth Schedule hereto;

(b) by the Act of 1920 for the purchase of lands and easements in the metropolitan borough of Stepney in the county of London and in the city of London in the county of the city of London which powers were extended by the Order specified in Part III. of the Fourth Schedule hereto;

are hereby extended and shall continue in force and may be exercised for and during the period ending on the fourth day of August one thousand nine hundred and twenty-seven.

(2) The Metropolitan Railway Company shall pay to the District Company such part of such proper proportion of the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act as is attributable to the matters contained in this section as may be agreed or failing agreement settled by the Standing Arbitrator appointed under section 56 of the Metropolitan and District Railways (City Lines and Extensions) Act 1879.

30.—(1) The District Company may hold use and appropriate for the purpose of their undertaking the following lands and properties which have already been acquired by them and the expenditure of money by the Confirmation of acquisition of certain lands.

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A.D. 1924. District Company in or about the purchase or acquisition thereof or the works executed thereon is hereby sanctioned and confirmed (that is to say):—

In the county of London in the metropolitan borough of Hammersmith a strip of land adjoining the railway of the District Company extending from Great Church Lane to Rednall Terrace;

In the county of Middlesex in the parish of Hanwell (detached) in the urban district of Hanwell a strip of land on the east side of and adjoining the Railway (Harrow Branch) of the District Company extending from a point near Park Royal Station to the River Brent.

(2) The provisions of section 38 (As to exhibition of placards within county of London) of the Metropolitan District Railway Act 1897 and of section 18 (Application of London Building Acts) of the Metropolitan District Railway Act 1906 and of subsection (5) of section 24 (For protection of London County Council) of the District Act of 1915 are incorporated with and form part of this Act and shall extend and apply to the District Company in regard to the lands in the administrative county of London referred to in this section as fully and effectually to all intents and purposes as if those provisions had been expressly re-enacted in this Act with reference thereto respectively.

General
meetings
and voting.

31.—(1) From and after the passing of this Act the quorum for a general meeting of the District Company shall be five persons present in person and entitled to vote at such meeting and who between them hold or represent by proxy not less than one-hundredth part of the issued capital entitled to voting rights for the time being of the District Company.

(2) At all general meetings of the District Company every holder of stock or shares in the capital for the time being of the District Company shall subject to the provisions of this Act be entitled to one vote in respect of every share of ten pounds or ten pounds of stock held by him. Provided always that no shareholder or stockholder shall be entitled to vote at any meeting unless he shall have paid all the calls then due upon the shares or stock held by him and that except as otherwise expressly provided by the Act or resolution creating the same no

person shall be entitled to vote in respect of any shares or stock to which a preferential dividend has been assigned and that nothing in this section contained shall entitle any person to vote in respect of the Consolidated Rent Charge Stock the Guaranteed Stock or the Midland Rent Charge Stock of the District Company.

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(3) Section 9 (Quorum of general meetings) of the Metropolitan District Railways Act 1864 is hereby repealed.

32. Except in the case of a director retiring by rotation and offering himself or being proposed for re-election no person shall be capable of being elected a director of the District Company in place of a director retiring by rotation unless notice in writing that such person intends to offer himself or will be proposed for the office of director shall have been given to the secretary of the District Company or left at the office of the District Company fourteen days at least before the day of election.

Notice of candidature for office of director.

33. The undermentioned agreements (that is to say) :—

Confirmation of certain agreements.

(a) An agreement made the ninth day of December one thousand nine hundred and sixteen between the District Company of the first part the London Electric Railway Company of the second part and the Midland Railway Company of the third part set forth in Part I. of the Fifth Schedule to this Act; and

(b) An agreement made the twenty-eighth day of March one thousand nine hundred and seventeen between the District Company of the first part the Whitechapel and Bow Railway Company of the second part and the District Company and the Midland Railway Company of the third part set forth in Part II. of the Fifth Schedule to this Act;

are hereby confirmed and made binding on the respective parties thereto and on the London Midland and Scottish Railway Company the successors of the Midland Railway Company.

34. Section 15 (For protection of Leopold de Rothschild) of the Metropolitan District Railway Act 1903 down to and including the words "but in lieu

Amendment of Metropolitan

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District
Railway
Acts 1903
and 1915.

Agree-
ments as
to Kensing-
ton and
Richmond
branch
of Southern
Railway.

thereof" and subsection (2) of section 26 (For protection of Midland Railway Company) of the District Act of 1915 are hereby repealed.

35.—(1) The District Company the London Electric Railway Company and the Central Company (in this section called "the three companies") or any of them on the one hand and the Southern Railway Company on the other hand may enter into and carry into effect vary and rescind agreements with respect to the following purposes or any of them (that is to say):—

The alteration electrification working user management maintenance and renewal of the Kensington and Richmond branch of the Southern Railway Company or any part or parts thereof by the three companies or any of them and the construction of such works thereon as may be necessary or convenient:

The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways of the companies who are parties to such agreement:

The supply and maintenance by any one or more of the companies who are parties to any such agreements for the working or user of the said Kensington and Richmond branch or any part or parts thereof under and during the continuance of such agreements of engines motors rolling-stock and plant necessary for the purposes of such agreements:

The supply of electric current and the laying and maintenance of electric cables:

The employment of officers and servants:

The payments to be made and the conditions to be performed with respect to such working user management maintenance and renewal:

The fixing subject to the authorised maximum rates and the collection payment division and apportionment of the tolls rates and charges and other profits arising from the traffic on from or over the undertakings or portions of undertakings of any one or more of the companies who are parties to such agreement.

(2) The three companies or any two of them may subject to and for the purpose of effectuating the provisions of any such agreements as aforesaid enter into agreements between themselves as to any of the matters aforesaid.

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(3) The three companies or such of them as are parties to any such agreements as aforesaid may apply their respective revenues to the purposes of such agreements and may also apply to any of such purposes to which capital is properly applicable any moneys which they now have in their hands or which they may have power to raise by shares or stock or borrowing.

(4) Nothing in this section contained shall prejudice or affect the exercise by the Great Western Railway Company and the Metropolitan Railway Company of their respective powers to run over and use the lines of rails on the said Kensington and Richmond branch which they are now empowered to run over and use or such other altered or substituted lines of rails on that branch as notwithstanding section 24 of the Metropolitan District Railway Act 1910 may be agreed between the companies who are parties to such agreements as are mentioned in subsection (1) of this section on the one hand and the Great Western Railway Company and the Metropolitan Railway Company on the other hand.

(5) Nothing contained in this section or in any agreement made thereunder shall prejudice or affect the rights powers and privileges of the London Midland and Scottish Railway Company in regard to running over and using the said Kensington and Richmond branch and the lines and works connected therewith or such other altered or substituted lines of rails on that branch as may be agreed.

36.—(1) The District Company on the one hand and the Southern Railway Company on the other hand may enter into and carry into effect vary and rescind agreements with respect to the following purposes or any of them (that is to say) :—

Agreements
as to
Wimbledon
and Fulham
Railway.

The alteration electrification working user management maintenance and renewal of the Wimbledon and Fulham Railway of the Southern Railway

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Company or any part or parts thereof and the construction of such works thereon as may be necessary or convenient:

The management regulation interchange collection transmission and delivery of traffic upon or coming from or destined for the railways of the companies respectively:

The supply and maintenance during the continuance of any such agreements for the working or user of the said Wimbledon and Fulham Railway or any part thereof under and during the continuance of such agreements of engines motors rolling-stock and plant necessary for the purposes of such agreements:

The supply of electric current and the laying and maintenance of electric cables:

The employment of officers and servants:

The payments to be made and the conditions to be performed with respect to such working user management maintenance and renewal:

The fixing subject to the authorised maximum rates and the collection payment division and apportionment of the tolls rates and charges and other profits arising from the traffic on from or over the undertakings or portions of undertakings of the respective companies.

(2) The District Company may apply their revenues to the purposes of any such agreements and may also apply to any of such purposes to which capital is properly applicable any moneys which they now have in their hands or which they may have power to raise by shares or stock or borrowing.

For protection of
Postmaster-
General.

37.—(1) Nothing in any agreement made under the authority of this Part of this Act shall affect the rights of His Majesty's Postmaster-General under the Telegraph Act 1878 to place and maintain telegraphic lines in under upon along over or across the railways and works comprised in the Wimbledon and Fulham Railway of the Southern Railway Company and from time to time to alter such telegraphic lines and to enter upon the land and works comprised in such railway for the purposes in the Telegraph Act 1878 specified and the Postmaster-General

shall after the making of any such agreement be at liberty to exercise all the rights aforesaid notwithstanding that the said railway is worked by the District Company as freely and fully in all respects as he was entitled to do before the making of any such agreement. A.D. 1924.

(2) All the provisions which are contained in any Act relating to any portion of the Kensington and Richmond branch and the Wimbledon and Fulham Railway of the Southern Railway Company respectively for the protection of the telegraphic lines of the Postmaster-General in respect of the use of electrical power shall extend and apply to the said branch and railway (as the case may be) or any part or parts thereof in respect of any electrification or supply of electric current under any agreement made in pursuance of the two last preceding sections and in respect of the exercise of any of the powers conferred by and any works constructed under any such agreement. Provided that if in regard to any portion of the said branch and railway respectively the Acts applicable thereto do not contain any such provision as aforesaid the said powers shall not be exercised in relation to such portion of the said branch or railway (as the case may be) in such manner as to cause or be likely to cause interference with telegraphic communication by means of any telegraphic line belonging to or used by the Postmaster-General. The expression "telegraphic line" in this section shall have the same meaning as in the Telegraph Act 1878.

38. The District Company may apply to the purposes of this Act or to the general purposes of their undertaking being in all cases purposes to which capital is properly applicable any of the moneys which they are by any Act relating to the District Company authorised to raise and which may not be required for the purposes of those Acts respectively.

Application of funds by District Company.

PART IV.

MISCELLANEOUS.

39.—(1) Notwithstanding anything contained in section 34 of the Regulation of Railways Act 1868 neither the Central Company nor the District Company shall be required to print or to supply printed copies of the

Inspection and copies of shareholders'

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Metropolitan District Railway Companies Act, 1924.

A.D. 1924. address books. shareholders' address book of its respective company but the said respective books shall at all convenient times be open to the inspection of any person who holds any share or stock or mortgage of the Central Company or the District Company as the case may be gratis and to the inspection of any other person on payment of a sum not exceeding one shilling for each inspection.

(2) Any person may require a copy of the said respective books or of any part thereof and for every hundred words so required to be copied the Central Company or as the case may be the District Company may demand a sum not exceeding sixpence.

(3) If either company act in contravention of this section it shall be liable for each offence to the same penalty (which shall be recovered and applied in the same manner) as for an offence under the said section 34.

Directors may authorise chief officers to sign certain contracts.

40. The directors of the Central Company or of the District Company may by resolution authorise any chief officer of their respective companies to sign contracts on behalf of such respective company and contracts signed in accordance with any such resolution shall have the same validity as contracts made under section 97 of the Companies Clauses Consolidation Act 1845 when signed on behalf of such respective company by any two of the directors thereof.

Provision as to general Railway Acts.

41. Nothing in this Act contained shall exempt any company upon whom powers are conferred by this Act or their respective railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies passed before or after the passing 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 to be taken by such companies or any of them.

Costs of Act.

42. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Central Company and the District Company in such proportions as shall be agreed or failing agreement settled by an arbitrator appointed upon the application of either party by the Minister of Transport and the Arbitration Act 1889 shall apply to any such arbitration.

SCHEDULES referred to in the foregoing Act.

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FIRST SCHEDULE.

DESCRIBING PROPERTIES UNDER WHICH EASEMENTS MAY BE TAKEN BY THE CENTRAL LONDON RAILWAY COMPANY.

Area.	Nos. on deposited Plans.
SUBWAY No 1.	
Metropolitan Borough of Saint Marylebone - -	2 4
SUBWAY No 2.	
Metropolitan Borough of Saint Marylebone - -	2 4

SECOND SCHEDULE.

DESCRIBING PROPERTIES OF WHICH PARTS ONLY MAY BE TAKEN BY THE CENTRAL LONDON RAILWAY COMPANY.

Area.	Nos. on deposited Plans.	Description of Property.
SUBWAY No. 1.		
Metropolitan Borough and City of Westminster.	1A 6	Footpath (Oxford Street) forecourts cellars or vaults under. Courtyard to Cavendish Buildings and entrance to Robert Street.

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THIRD SCHEDULE.

NUMBERS AND MARGINAL NOTES OF SECTIONS OF ACTS OF CENTRAL LONDON RAILWAY COMPANY WHICH ARE INCORPORATED WITH THIS ACT AND WHICH ARE REFERRED TO IN THE SECTION OF THIS ACT OF WHICH THE MARGINAL NOTE IS "INCORPORATING CERTAIN PROVISIONS OF EXISTING ACTS OF CENTRAL COMPANY."

Marginal note of Section.	No. of Section.
ACT OF 1891.	
Persons authorised to convey lands may grant easements - - - - -	34
Provision as to cellars under streets not referenced - - - - -	43
As to carting materials and soil outside the City	48
For the protection of sewers of the Council -	49
Buildings not to be brought beyond general line	51
Walls of buildings to be made good - - -	52
Inspection of works by Council - - -	53
Exhibition of placards in the county of London	54
For protection of sewers of district boards and vestries - - - - -	55
Deposit of objects of interest - - - - -	69
General provisions for protection of water gas hydraulic power and electric companies -	85
For protection of the Gas Light and Coke Company - - - - -	86
Company empowered to underpin or otherwise strengthen houses near railway - - - -	97
ACT OF 1901.	
For protection of Postmaster-General - - -	8
ACT OF 1907.	
For protection of London County Council -	21 (subsection 1 thereof)
For protection of Metropolitan Water Board -	24
ACT OF 1909.	
As to removal of letter boxes - - - - -	17

[14 & 15 GEO. 5.] *Central London and Metropolitan District Railway Companies Act, 1924.* [Ch. xlviii.]

Marginal note of Section. No. of Section. A.D. 1924.

ACT OF 1913.

For protection of Commissioner of Police	-	18	
For protection of London County Council	-	21	
		(subsections 3 and 5 thereof)	
Agreements with local authorities &c.	- -	42	

ACT OF 1914.

Power to acquire leasehold interests and use lands held on lease	- - - -	12	
For protection of London County Council	-	23	

ACT OF 1920.

Costs of arbitration in certain cases	- - -	64	
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FOURTH SCHEDULE.

ORDERS MADE UNDER THE SPECIAL ACTS (EXTENSION OF TIME) ACT 1915 WHICH ARE REFERRED TO IN THE SECTIONS OF THIS ACT OF WHICH THE MARGINAL NOTES ARE "EXTENSIONS OF TIME FOR COMPULSORY PURCHASE OF LANDS BY DISTRICT COMPANY" "EXTENSIONS OF TIME FOR COMPULSORY PURCHASE OF LANDS BY DISTRICT COMPANY AND METROPOLITAN RAILWAY COMPANY."

By whom made. Date.

PART I.

Board of Trade	- - - -	14th January 1916.	
Board of Trade	- - - -	6th June 1917.	

PART II.

Board of Trade	- - - -	19th April 1918.	
Board of Trade	- - - -	10th May 1919.	
Minister of Transport	- - - -	20th March 1920.	
Minister of Transport	- - - -	17th January 1921.	
Minister of Transport	- - - -	3rd January 1922.	

PART III.

Minister of Transport	- - - -	22nd September 1922.	
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FIFTH SCHEDULE.

PART I.

AN AGREEMENT made the ninth day of December one thousand nine hundred and sixteen between the METROPOLITAN DISTRICT RAILWAY COMPANY (hereinafter called "the District Company") of the first part the LONDON ELECTRIC RAILWAY COMPANY (hereinafter called "the London Company") of the second part and the MIDLAND RAILWAY COMPANY (hereinafter called "the Midland Company") of the third part.

WHEREAS by the Metropolitan District Railway Act 1875 the District Company were authorised to make and maintain a railway (hereinafter called "the Hammersmith Junction") 3 furlongs 9·50 chains in length in the Parish of St. Peter and St. Paul Hammersmith commencing by a junction with the Hammersmith Extension Railway of the District Company and terminating by a junction with the Kensington and Richmond line of the London and South Western Railway near Albion Road and for the purposes thereof to raise an additional capital not exceeding 350,000*l.* and to constitute such capital a separate capital and to form the Hammersmith Junction a separate undertaking :

And whereas the Hammersmith Junction was duly constructed by the District Company and the said separate capital and separate undertaking were duly constituted and formed and now exist as so constituted and formed :

And whereas by an agreement (scheduled to and confirmed by the Midland Railway (Further Powers) Act 1877) dated the twenty-fifth day of April one thousand eight hundred and seventy-six and made between the Midland Company and the District Company (Article 2) the Midland Company became entitled to use for the purposes and in the manner defined in the said article the Hammersmith Junction and certain other portions of the District Company's railway and the consideration for the user by the Midland Company of the Hammersmith Junction was to be ascertained in manner set out in Article 4 of the said agreement which provided (*inter alia*) for the formation of a fund entitled "the Hammersmith Junction fund" which was to be credited with certain receipts from traffic passing over or accruing to the Hammersmith Junction and provision was made in the said Article 4 for the division of the Hammersmith Junction fund between the District Company and the Midland Company :

And whereas by section 40 of the Metropolitan District Railway Act 1878 it was enacted as follows :— A.D. 1924.

“ 40. Instead of the provisions contained in the fourth article of the recited Agreement of the 25th day of April 1876 the Midland Railway Company shall as from the first day of July one thousand eight hundred and seventy-eight pay to the (*District*) Company in half-yearly amounts a sum by way of rent equal to 4 per centum per annum upon 350,000*l.* the amount of capital expenditure upon the Hammersmith Junction forming a separate capital stock created by virtue of the Metropolitan District Railway Act 1875 and such rent shall be applied by the company in payment of dividends upon the said stock and the Hammersmith Junction fund provided by the said fourth article shall thenceforth be constituted and applied as follows :—

The said fund shall consist of—

(a) The mileage proportion due to the Hammersmith Junction of the receipts from all traffic conveyed thereon or thereover by the District Company and all other companies or persons ;

(b) The receipts accruing (according to the ordinary practice of railway companies) to the Hammersmith Junction from all other sources ;

and the said fund so constituted shall be applied in each year as follows :—

There shall be paid thereout to the District Company such a proportion of the amount standing to the credit of the fund as the gross working expenses of their railway in the previous year bore to their gross receipts for that year ;

The balance of the Hammersmith Junction fund shall be paid to the Midland Company ” :

And whereas since the month of March 1878 the Midland Company have exercised their right of user over the Hammersmith Junction but the balance of the Hammersmith Junction fund has never amounted to the annual rent of 14,000*l.* which the Midland Company are under obligation to pay and have paid under section 40 of the said Metropolitan District Railway Act 1878 :

And whereas by an agreement dated the first day of July one thousand nine hundred and thirteen between the London Company of the first part the District Company of the second part and the Midland Company of the third part after reciting (*inter alia*) that the amount payable to the Midland Company out of the Hammersmith Junction fund is arrived at in the following manner :—

- (1) The Hammersmith Junction fund is credited with
(a) a percentage of gross earnings of the District Railway

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(including the Hammersmith Junction earnings) from passenger and parcels traffic such percentage being the average percentage during the six years ended the thirty-first December one thousand nine hundred and four which the earnings of the Hammersmith Junction fund bore to the gross earnings of the District railway and Hammersmith Junction fund combined and (b) rent of arches and goods and mineral traffic earnings carried over the Hammersmith Junction :

(2) There is paid thereout (a) to the District Company such a proportion of the amount standing to the credit of the Hammersmith Junction fund as the gross working expenses of the railway of the District Company in the previous year bore to the gross receipts for that year and (b) to the Midland Company 25 per cent. of the gross earnings on goods and mineral traffic carried by the Midland Company over the Hammersmith Junction :

(3) The balance of the Hammersmith Junction fund is paid to the Midland Company :

the District Company (Article 3) agreed with the Midland Company that the method thereinbefore recited then in operation of ascertaining the balance of the Hammersmith Junction fund in respect of passenger and parcels traffic to which the Midland Company were entitled should as from the date of the said agreement continue to operate unless otherwise mutually agreed.

And whereas it was by Article 1 of the same agreement also agreed that as an addition to the balance of the Hammersmith Junction fund to which the Midland Company were entitled under the said agreement of the twenty-fifth day of April one thousand eight hundred and seventy-six under section 40 of the Metropolitan District Railway Act 1878 and ascertainable in manner thereinbefore recited the London Company should pay yearly in perpetuity to the Midland Company the sum of 300*l.* the first payment thereof to become due at the expiration of twelve calendar months from the date of the opening for traffic of certain railways therein mentioned being Railways No. 6 and No. 7 subsequently authorised by the London Electric Railway Act 1913 or of the opening of either of those railways whichever should be first opened for traffic :

And whereas by the Metropolitan District Railway Act 1915 the District Company were authorised to make a widening of their railway at Hammersmith and it was by section 26 of the said Act enacted as follows :—

“ 26. For the protection of the Midland Railway Company (hereinafter in this section called ‘ the Midland Company ’)

the following provisions unless otherwise agreed shall have effect (that is to say) :— A.D. 1924.

(1) The Midland Company shall be entitled to run over and use the widening of the (*District*) Company's railway at Hammersmith by this Act authorised (in this section hereinafter referred to as 'the said widening') upon the following terms (that is to say) :—

(a) So far as the said widening does not form part of the Hammersmith Junction Railway authorised by the Metropolitan District Railway Act 1875 it shall be subject to the rights of the Midland Company to run over and use the same upon the terms and conditions upon which the Midland Company now run over and use the railway of the (*District*) Company at Hammersmith not forming part of the Hammersmith Junction railway ;

(b) So far as the said widening is a widening or variation of the said Hammersmith Junction Railway it shall except as in this section provided or as otherwise agreed be subject to all rights and obligations of the Midland Company contained in an agreement dated the twenty-fifth day of April 1876 between the Midland Company and the (*District*) Company scheduled to and confirmed by the Midland Railway (Further Powers) Act 1877 as modified by and defined in section 40 of the Metropolitan District Railway Act 1878 and in an agreement dated the first day of July 1913 between the London Company of the first part the (*District*) Company of the second part and the Midland Company of the third part including the method of ascertaining the balance of the Hammersmith Junction fund referred to in the said section 40 of the Metropolitan District Railway Act 1878 as regulated by the last mentioned agreement as if such portion of the said widening were part of the Hammersmith Junction Railway :

(2) The (*District*) Company or the London Company shall pay to the Midland Company the yearly sum of 300*l.* reserved by Article 1 of the said agreement of the first day of July 1913 from the date of the opening for traffic of the said widening for trains of the London Company or from the date of the

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opening for traffic of the Railways Nos. 6 and 7 authorised by the London Electric Railway Act 1913 or either of those railways whichever of those dates shall be the earliest and the first payment thereof shall become due at the expiration of twelve months from the earliest of those dates and no contribution or apportionment of receipts to the Hammersmith Junction fund or (except as hereinafter provided in this subsection) further payment to the Midland Company shall be made in respect of traffic passing over the Hammersmith Junction Railway from or to the railway of the London Company provided that if through trains shall run from or to the railway of the London Company by means of the said widening as well as by Railways Nos. 6 and 7 authorised by the London Electric Railway Act 1913 the Midland Company may claim an addition to such yearly sum of 300*l.* and failing agreement the question of what (if any) such addition should under those circumstances fairly be made in respect of any further depletion being thereby caused to the Hammersmith Junction fund by reason of both such means being available for the running of such through trains shall be referred to and determined by an arbitrator to be appointed on the application of the Midland Company the (*District*) Company or the London Company by the Board of Trade and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference :

(3) Nothing in this Act contained shall affect or alter the obligations of the Midland Company with respect to the payment of the sum by way of rent mentioned in section 40 of the Metropolitan District Railway Act 1878 or the application thereof” :

And whereas the control of the District Company's railway in common with other railways in Great Britain was on the fourth August one thousand nine hundred and fourteen taken over by the Government in pursuance of an Order in Council under the provisions of the Regulation of the Forces Act 1871 :

And whereas by the London Electric Railway Companies Facilities Act 1915 the City and South London Railway Company the Central London Railway Company the London Company and the District Company were authorised to enter into and carry into effect agreements between themselves and the London General Omnibus Company Limited for and with respect to the payment into a common fund of the balances of the respective

revenues of all the companies parties to any such agreement for each half year remaining after providing for the payments by such respective companies specified or referred to in the First Schedule to the said Act to the close of such half year and the administration and distribution of such fund in the manner provided by the said Act : A D. 1924.
—

And whereas the Midland Company were opposed to the Bill for the said Act but refrained from opposing the Bill in Parliament on condition that the provisions hereinafter set out should henceforth apply :

Now it is hereby agreed as follows :—

1. Nothing in this agreement contained shall affect or alter the obligations of the Midland Company with respect to the payment of the sum by way of rent mentioned in section 40 of the Metropolitan District Railway Act 1878 or the application thereof and the Midland Company shall continue to pay the said sum and shall not have any right to set off against the same any of the payments to be made to them by the District Company under the provisions hereinafter contained.

2. The method recited in the said agreement of the first day of July one thousand nine hundred and thirteen at present in operation of ascertaining the balance of the Hammersmith Junction fund to which the Midland Company is entitled shall continue to operate until the day (hereinafter referred to as "the said day") on which the railways of the District Company and/or the Midland Company cease to be under Government control as at present existing under the Regulation of the Forces Act 1871 and as from the said day the said method shall (unless otherwise agreed) cease to operate and subject to the payment by the Midland Company of the sum by way of rent mentioned in section 40 of the Metropolitan District Railway Act 1878 the District Company shall pay to the Midland Company at the times hereinafter mentioned the following sums (that is to say) :—

For the period between the said day and the thirtieth day of June or thirty-first day of December next thereafter a sum calculated at the rate of 6,250*l.* per annum; and

For the first year after such thirtieth day of June or thirty-first day of December as aforesaid the sum of 6,250*l.*;

For the second year thereafter the sum of 6,625*l.*;

For the third year thereafter the sum of 7,000*l.*;

For the fourth year thereafter the sum of 7,375*l.*;

For the fifth year thereafter the sum of 7,750*l.*;

For the sixth year thereafter the sum of 8,125*l.*;

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For the seventh year thereafter the sum of 8,500*l.*;

For the eighth year thereafter the sum of 8,875*l.*;

For the ninth year thereafter the sum of 9,250*l.*;

For the tenth year thereafter the sum of 9,625*l.*;

For the eleventh and every succeeding year thereafter the sum of 10,000*l.*

The said sum in respect of each year shall be payable by the District Company as a working expense of their railway and shall be paid by equal half-yearly payments within thirty days after the thirtieth day of June and thirty-first day of December in each such year.

3. The said payments by the District Company shall be received by the Midland Company in lieu of and in full satisfaction for any balances or other sums in respect of the Hammersmith Junction fund to which the Midland Company would otherwise from time to time be entitled under the hereinbefore recited Acts and agreements and the Hammersmith Junction fund shall cease to be kept and the District Company shall as between themselves and the Midland Company be entitled to receive and retain—

(a) the whole of the gross earnings of the Hammersmith Junction (as now existing or as widened or varied as mentioned in section 26 (1) (b) of the Metropolitan District Railway Act 1915) including (inter alia) the proportion due to the Hammersmith Junction of the gross receipts from all traffic conveyed thereon or thereover by the Midland Company which proportion shall be paid over by the Midland Company to the District Company subject to the retention thereout by the Midland Company for their working expenses of a sum equal to 25 per cent. of the gross earnings of the Hammersmith Junction (as now existing or as widened or varied as aforesaid) on goods and mineral traffic carried by the Midland Company thereon or thereover; and

(b) the receipts accruing (according to the ordinary practice of railway companies) to the Hammersmith Junction (as now existing or as widened or varied as aforesaid) from all other sources.

4.—(1) Article 1 of the agreement of the first day of July one thousand nine hundred and thirteen between the London Company of the first part the District Company of the second part and the Midland Company of the third part is hereby cancelled and subsection 2 of section 26 of the Metropolitan District

Railway Act 1915 shall cease to have effect and shall be repealed and in lieu of the payment and additional payment referred to in the said article and subsection the District Company and the London Company or one of them shall in respect of the following works (viz.) :—

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- (a) the widening authorised by the Metropolitan District Railway Act 1915 for trains of the London Company ; and
- (b) the Railways Nos. 6 and 7 or either of them authorised by the London Electric Railway Act 1913 ;

or either of such works (a) and (b) pay to the Midland Company as from the date of the opening for traffic of that one of such works which is first opened for traffic or as from the date of the opening for traffic of both such works if they are both opened for traffic at the same time (whichever of such events shall be the earlier) a yearly inclusive sum of 300*l.* and the first payment thereof shall become due at the expiration of one year from such opening.

(2) The District Company and/or the London Company shall be at liberty to alter their respective existing and/or authorised railways at Hammersmith and/or the Hammersmith Junction and/or the widening authorised by the Metropolitan District Railway Act 1915 and/or Railways Nos. 6 and 7 authorised by the London Electric Railway Act 1913 provided that the convenient user by the Midland Company of the Hammersmith Junction is not thereby affected and that the traffic of the Midland Company is not impeded. And for the protection of the Midland Company in this respect plans of such alterations in so far as they affect the Hammersmith Junction shall before the said works are commenced be submitted to and reasonably approved by the Midland Company and if any dispute shall arise between the parties as to the reasonableness of such plans the same shall be settled by an arbitrator to be mutually agreed by the parties or failing agreement to be appointed by the President for the time being of the Institution of Civil Engineers.

(3) The Midland Company shall have no claim against the District Company and/or the London Company in respect of the above mentioned works or of any such alteration for any further payments beyond the payments stated in Article 2 and in subsection (1) of this article of this agreement by reason of the same affecting the volume of traffic passing to or over the Hammersmith Junction or the receipts or tolls from such traffic.

5. The amount of the appropriate stamp duty on this agreement and the counterpart thereof and the cost of printing this agreement shall be borne by the parties hereto in equal shares and any party paying the same shall be entitled to recover from the others their due proportions.

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6. Any of the companies parties hereto may apply to Parliament to give legislative force to this agreement and the other companies parties hereto shall support such application.

7. This agreement is made subject to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein any company may withdraw from the agreement.

In witness whereof the District Company the London Company and the Midland Company have hereunto caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the Metropolitan
District Railway Company was here-
unto affixed in the presence of
W. E. MANDELICK.



The common seal of the London Elec-
tric Railway Company was hereunto
affixed in the presence of
W. E. MANDELICK.



The common seal of the Midland Rail-
way Company was hereunto affixed
in the presence of
JAMES W. OXLEY
Director of the Company
Spensfield
Westwood
near Leeds.



PART II.

A.D. 1924.

AN AGREEMENT made the twenty-eighth day of March one thousand nine hundred and seventeen between the METROPOLITAN DISTRICT RAILWAY COMPANY (hereinafter called "the District Company") of the first part the WHITECHAPEL AND BOW RAILWAY COMPANY (hereinafter called "the Whitechapel Company") of the second part and the METROPOLITAN DISTRICT RAILWAY COMPANY and the MIDLAND RAILWAY COMPANY (hereinafter together called "the Working Companies") of the third part.

WHEREAS the railway of the Whitechapel Company extends from Whitechapel to Bow and by articles of agreement made the twelfth day of September one thousand eight hundred and ninety-eight between the Whitechapel Company of the first part the District Company of the second part and the London Tilbury and Southend Railway Company of the third part (which agreement was scheduled to and confirmed by section 13 of the Whitechapel and Bow Railway Act 1900) it was agreed that the District Company and the London Tilbury and Southend Railway Company should at their own expense work and maintain the railway of the Whitechapel Company and should pay all outgoings of every kind in respect thereof :

And whereas by the Midland Railway (London Tilbury and Southend Railway Purchase) Act 1912 the undertaking of the London Tilbury and Southend Railway Company (including all rights running and other powers and privileges liabilities and obligations of what nature and kind soever belonging to or vested in held used enjoyed or exerciseable by that company or to which that company were subject) was transferred to and vested in the Midland Company and the railway of the Whitechapel Company is accordingly now worked and maintained by the Working Companies :

And whereas the District Company are the owners of the north bay at Whitechapel Station which prior to the construction of the works hereinafter mentioned terminated in a dead-end on the west side of the East London Railway and the Whitechapel Company are the owners of a siding on the north side of their property which siding prior to the construction of the said works terminated by a dead-end on the east side of the East London Railway and the District Company used the said siding and paid the Whitechapel Company rent therefor :

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And whereas in order to provide further facilities for the running of through trains between the respective railways of the District Company and of the Whitechapel Company the District Company applied to Parliament for powers to construct an additional through line of railway across the East London Railway to connect the District Company's said north bay at Whitechapel Station with the Whitechapel Company's said siding and thus to form an additional through line of railway :

And whereas by section 5 of the Metropolitan District Railway Act 1906 (hereinafter referred to as "the Act of 1906") the District Company were authorised to make and maintain such additional through line of railway which was described in section 6 of that Act as follows viz. :—

" Railway No. 4 5·61 chains in length wholly in the parish of St. Mary Whitechapel in the metropolitan borough of Stepney commencing by a junction with the railway of the Company at a point $2\frac{3}{4}$ chains or thereabouts measured in a westerly direction from the east end of the signal-box on the Whitechapel and Bow Railway adjoining the Whitechapel Station on the East London Railway and terminating by a junction with the Whitechapel and Bow Railway at a point 3 chains or thereabouts measured in an easterly direction from the said east end of the said signal-box " :

And whereas by section 10 of the Act of 1906 the District Company and the Whitechapel Company were empowered to enter into and carry into effect agreements as to the construction maintenance and user of the said additional through line of railway and as to the contribution of money by the Whitechapel Company towards its construction :

And whereas for divers reasons the District Company did not commence the construction of the said additional through line of railway or acquire the lands therefor within the periods limited by the Act of 1906 :

And whereas after the expiration of the powers of the Act of 1906 the through traffic between the respective railways of the District Company and the Whitechapel Company continued to increase and in order to provide the facilities hereinbefore referred to it was arranged between those companies that the District Company should proceed to construct the said additional through line of railway or so much thereof as was necessary for the purpose of affording a through line of communication :

And whereas by an agreement dated the thirteenth day of August one thousand nine hundred and thirteen made between the East London Railway Company (hereinafter referred to as

“the East London Company”) of the first part the East London Railway Joint Committee (hereinafter referred to as “the Joint Committee”) of the second part and the District Company of the third part after reciting that the said additional through line of railway would cross over the East London Railway by means of a bridge and that the District Company desired to construct the same and had requested the East London Company and the Joint Committee to consent to the construction thereof and to grant an easement over the East London Railway necessary therefor it was agreed that the District Company should be at liberty to commence and carry out the construction of the said additional through line of railway so far as the same affected the East London Company and the Joint Committee in accordance with the signed plan therein referred to and that the District Company should carry out their works subject to the provisions set out in section 8 (For the protection of the East London Railway Company and the East London Railway Joint Committee) of the Act of 1906 and subject to the further provisions contained in the said agreement in regard to the construction of the said bridge and as to the execution and maintenance of the works in connection with the construction of the said additional through line of railway and that the East London Company and the Joint Committee and all other necessary parties should sell and grant and the District Company should take an easement or right of using the lands of the East London Company for the purpose of erecting and maintaining the said bridge and other works mentioned in the said section 8 and that the purchase price to be paid for the grant of the said easement or right should be the sum of 103*l* :

A.D. 1924.

And whereas on the exchange of the said agreement of the thirteenth day of August one thousand nine hundred and thirteen the District Company paid to the East London Company and the Joint Committee the said sum of 103*l*. for such easement as aforesaid :

And whereas by an Indenture dated the thirtieth day of December one thousand nine hundred and sixteen made between the East London Railway Company of the first part the East London Railway Joint Committee of the second part the District Company of the third part and the Whitechapel Company of the fourth part after reciting inter alia the said agreement of the thirteenth day of August one thousand nine hundred and thirteen and that the District Company had requested the East London Railway Company and the East London Railway Joint Committee thereafter called the grantors to execute such grant to the Whitechapel Company as is thereafter contained upon the terms and conditions thereafter appearing the grantors at the request of the District Company granted unto the Whitechapel Company their successors and assigns the perpetual easement and

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A.D. 1924. — right of using the lands of the grantors necessary for the purpose of carrying maintaining and using the said bridge and other works over the grantor's railway and station at Whitechapel Road in the parish of St. Mary Whitechapel in the metropolitan borough of Stepney and county of London as mentioned in section 8 of the Metropolitan District Railway Act 1906 together with all necessary proper and convenient works which have been constructed thereon in connection with the said bridge and subject to the provisions of section 8 of the Metropolitan District Railway Act 1906 for the protection of the grantors :

And whereas the District Company have completed the construction of the said additional through line of railway in manner shown on the plan annexed hereto and the same has been opened for public traffic :

And whereas the portion of the said additional through line of railway between the line marked "A.A." on the plan annexed hereto and the line thereon marked "B.B." has been constructed on the land of the Whitechapel Company and the portion of the said additional through line of railway between the line marked "B.B." on the said plan and the line thereon marked "C.C." has been constructed pursuant to the said agreement of the thirteenth day of August one thousand nine hundred and thirteen over the railway of the East London Company and the portion of the said additional through line of railway between the line marked "C.C." on the said plan and the line thereon marked "D.D." has been constructed on the land of the District Company :

And whereas by section 32 of the Metropolitan District Railway Act 1915 the construction of the said additional through line of railway (in the said section referred to as the widening at Whitechapel of the District Company's railway two chains or thereabouts in length in the parish of St. Mary Whitechapel in the metropolitan borough of Stepney on the north side of the bridge carrying the Whitechapel and Bow Railway over the railway of the East London Company at the eastern end of the District Company's Whitechapel station) the purchase of lands therefor and the application of funds to such purposes were sanctioned and confirmed and the said section provided that the said widening might be maintained and worked accordingly and that certain sections of the Act of 1906 including section 10 thereof hereinbefore recited should extend and apply to such widening as if it had been referred to in such sections instead of Railway No. 4 authorised by the Act of 1906 :

And whereas in pursuance of the powers in that behalf contained in section 10 of the Act of 1906 the Whitechapel Company have repaid to the District Company the cost of and incidental to the construction of the portion of the said additional

through line of railway between the said line marked "A.A." and the said line marked "C.C." marked on the plan annexed hereto : A.D. 1924.
—

Now it is hereby agreed as follows :—

1. The parties hereto hereby acknowledge that the portions of the said additional through line of railway between the line marked "A.A." on the plan annexed hereto and the line marked thereon "B.B." and between the line marked thereon "B.B." and the line marked thereon "C.C." are the property of the Whitechapel Company and shall for all purposes form part of the railway of the Whitechapel Company.

2. The parties hereto hereby acknowledge that the portion of the said additional through line of railway between the line marked "C.C." on the said plan and the line marked thereon "D.D." is the property of the District Company and shall for all purposes form part of the railway of the District Company.

3. The Whitechapel Company shall have the same rights of working through the District Company's Whitechapel Station over the No. 1 road marked on the said plan between the lines thereon marked "C.C." and the junctions at the west end of that station as they at present have through that station over the Nos. 2 and 3 roads marked on the said plan.

4. The said rent payable by the District Company to the Whitechapel Company for the use of the Whitechapel Company's said siding on the east side of the East London Railway shall cease to be payable.

5. The existing arrangement in regard to the division of traffic receipts at the said Whitechapel Station shall so long as it remains in force extend and apply to traffic passing on or over the said No. 1 road.

6. Any of the parties hereto may apply to Parliament to give legislative force to this agreement and the other companies shall support such application.

7. This agreement is made subject to such alterations as Parliament may think fit to make therein but in the event of either House of Parliament making any material alteration therein either company may withdraw from this agreement.

8. The costs of the parties hereto of and incidental to the preparation execution printing and stamping of this agreement and of the said grant of easement and also in the latter case the costs of the East London Company and of the East London Railway Joint Committee in regard thereto shall be borne and paid by the Whitechapel Company.

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In witness whereof the said parties to these presents have caused their respective common seals to be hereunto affixed the day and year first above written

The common seal of the Metropolitan District Railway Company was hereunto affixed in the presence of

W. E. MANDELICK
Secretary.



The common seal of the Whitechapel and Bow Railway Company was hereunto affixed in the presence of

MURRAY GRIFFITH
Director.



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

JAMES W. OXLEY
Director of the Company
Spensfield
Westwood
near Leeds.



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