



### CHAPTER lxxx.

An Act to authorise the Metropolitan Railway Company to construct new railways and to acquire lands to authorise the Company to raise further moneys to confer further powers on the Company and for other purposes.

A.D. 1930.

[4th June 1930.]

**W**HEREAS it is expedient that the Metropolitan Railway Company (in this Act referred to as "the Company") should be empowered to construct the new railways in this Act described :

And whereas it is expedient that the Company should be authorised to acquire lands for the purposes of the said new railways and the works connected therewith or incidental thereto and for the other purposes of their undertaking :

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

And whereas it is expedient that the acquisition of certain lands already acquired by the Company should be sanctioned and confirmed :

And whereas it is expedient that the other powers contained in this Act should be conferred upon the Company and that the other provisions contained in this Act should be made :

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— And whereas plans showing the lands required or which may be taken or used compulsorily for the purposes or under the powers of this Act such plans showing the lines or situation of the said new railways and sections showing the levels of such new railways with a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the said lands were duly deposited with the clerk of the peace for the county of Middlesex and are in this Act 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 Metropolitan Railway Act 1930.

Act divided into Parts.

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

Part I.—Preliminary.

Part II.—Works.

Part III.—Lands.

Part IV.—Finance.

Part V.—Miscellaneous.

Incorporation of Acts.

3. The following Acts and parts of Acts (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are incorporated with and form part of this Act (that is to say) :—

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 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 :

Provided also that section 34 of the Lands Clauses Consolidation Act 1845 shall be read and have effect subject to the following proviso in all cases in which notice of the effect of such proviso accompanies any offer of purchase money and compensation made by the promoters :—

Provided that in the event of a party to whom a sum shall have been offered by the promoters at least ten days before the commencement of the hearing before the arbitrator failing within ten days of the making of the offer to notify the promoters in writing that he accepts the same all the costs and expenses of the promoters of and incidental to the arbitration incurred by them after the date of the offer shall in the event of his subsequently accepting such offer be borne by him including any fees and expenses of the arbitrator ;

The Railways Clauses Consolidation Act 1845 ;

Part I (relating to construction of a railway) of the Railways Clauses Act 1863 ;

The provisions of the Companies Clauses Consolidation Act 1845 (so far as the same are not inconsistent with the provisions of any special enactment relating to the Company) with respect to the following matters (namely) :—

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

The payment of subscriptions and the means of enforcing the payment of calls ;

The forfeiture of shares for non-payment of calls ;

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The remedies of creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The conversion of the borrowed money into capital;

The consolidation of the shares into stock;

The general meetings of the Company;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the special Act by all parties interested; and

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

Interpreta-  
tion.

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

“ The Company ” means the Metropolitan Railway Company;

“ The new railways ” means the railways described in the section of this Act of which the marginal note is “ Description of new railways ”;

“ The works ” means the works authorised by this Act;

“ The limits of deviation ” means the limits of deviation shown upon the deposited plans;

“ The tribunal ” means the arbitrator to whom any question of disputed compensation is referred under the provisions of this Act or any Act incorporated herewith;

“ Stock ” and “ stockholder ” includes “ share ” and “ shareholder.”

PART II.

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WORKS.

5. Subject to the provisions of this Act the Company may make and maintain in the lines or situation and according to the levels shown on the deposited plans and sections the new railways hereinafter described with all proper stations platforms lines of rail junctions sidings roads bridges viaducts approaches buildings machinery apparatus electrical appliances works and conveniences connected therewith or incidental thereto. Power to make works.

6. The new railways hereinbefore referred to and authorised by this Act will be situate in the county of Middlesex and are— Description of new railways.

Railway No. 1 A railway (4 miles 0 furlong 3·7 chains or thereabouts in length) situate partly in the urban district of Wembley partly in the urban district of Kingsbury and partly in the rural district of Hendon commencing in the urban district of Wembley by a junction with Work No. 1 authorised by the Metropolitan Railway Act 1929 at a point in the enclosure numbered 94 in the parish of Wembley on the  $\frac{1}{2500}$  Ordnance map (Middlesex sheet XI.9 edition of 1914) 180 yards or thereabouts measured in a south-easterly direction from the south-west corner of the enclosure numbered 91 in the said parish on the said Ordnance sheet and 272 yards or thereabouts measured in a north-westerly direction from the south-east corner of the said enclosure numbered 91 and terminating in the parish of Little Stanmore in the rural district of Hendon at a point on the northern boundary of the enclosure numbered 80 in the last-named parish on the  $\frac{1}{2500}$  Ordnance map (Middlesex sheet V.16 edition of 1914) 110 yards or thereabouts measured along the said boundary in an easterly direction from the north-west corner of the said enclosure numbered 80;

Railway No. 2 A railway (2 furlongs 7·3 chains or thereabouts in length) situate wholly in the urban district of Wembley commencing by a

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junction with Work No. 1 authorised by the Metropolitan Railway Act 1929 at a point 110 yards or thereabouts measured in an easterly direction from the western corner of the Company's car shed at or near Forty Lane and 37 yards or thereabouts measured in a westerly direction from the southern corner of the said car shed and terminating by a junction with the up through slow line of the Company's country extension line from Baker Street to Aylesbury and beyond at a point 93 yards or thereabouts measured in an easterly direction from the eastern end of the platforms numbered 5 and 6 of the Company's Wembley Park Station.

Railways  
may be  
worked by  
electrical  
power.

7. Subject to the provisions of this Act and of any regulations to be prescribed by the Minister of Transport (in this Act referred to as "the Ministry of Transport regulations") the Company may work the traffic on the works by electrical power.

Power to  
hold patent  
rights.

8. The Company may acquire and hold patent and other rights and licences (not being exclusive) in relation to the use of electrical power for the purposes of this Act.

Provisions  
as to use of  
electrical  
power.

9. The following provisions shall apply to the use of electrical power for working the traffic on the works unless such power is entirely contained in and carried along with the carriages:—

(1) The Company shall employ either insulated returns or uninsulated metallic returns of low resistance:

(2) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working the traffic of their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances or to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electrical



power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus :

- (3) The electrical power shall be used only in accordance with the Ministry of Transport regulations and in such regulations provisions shall be made for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :
- (4) The Company shall be deemed to take all reasonable and proper precautions against interference with the working of any wire line or apparatus if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as may be prescribed by the Ministry of Transport regulations and in prescribing such means the Minister of Transport shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the undertaking :
- (5) At the expiration of two years from the passing of this Act the provisions of this section shall not operate to give any right of action in respect of injurious interference with any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents :
- (6) If any difference arises between the Company and any other party with respect to anything in this section contained such difference shall

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unless the parties otherwise agree be determined by the Minister of Transport or at his option by an arbitrator to be appointed by him and the costs of such determination shall be in the discretion of the Minister or of the arbitrator as the case may be :

- (7) The Company using electrical power contrary to the provisions of this Act or of the Ministry of Transport regulations shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Minister of Transport if in his opinion the Company in the use of electrical power under the authority of this Act have made default in complying with the provisions of this Act or the Ministry of Transport regulations may by order direct the Company to cease to use electrical power and thereupon the Company shall cease to use electrical power and shall not again use the same unless with the authority of the Minister of Transport and in every such case the Minister of Transport shall make a special report to Parliament notifying the making of such order :
- (8) The expression " Company " in this section includes licensees and any person owning working or running carriages over any railway of the Company.

Power to deviate laterally.

**10.** In the execution of the new railways but subject to the provisions of this Act the Company may deviate laterally from the lines or situation thereof shown on the deposited plans to any extent within the limits of deviation.

Power to deviate vertically.

**11.** In the execution of the new railways but subject to the provisions of this Act the Company may deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient Provided always that nothing contained in this section shall be deemed to authorise the



Company to deviate upwards from the levels of the new railways as shown on the deposited sections to a greater extent than five feet.

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12. The Company may make the arches of the bridge for carrying the new railways over the road next hereinafter mentioned of any heights and spans not less than the height and span hereinafter mentioned in connection therewith (that is to say):—

Height and span of bridge.

| No. on deposited plans. | Parish or other area. | Description of road. | Height. | Span.   |
|-------------------------|-----------------------|----------------------|---------|---------|
| RAILWAY No. 1.          |                       |                      |         |         |
| 33                      | Little Stanmore       | Whitchurch Lane      | 16 feet | 60 feet |

13. The Company may make the roadway over the bridges by which the following roads will be carried over the new railways of such width between the fences or boundary walls thereof as the Company think fit not being less than the respective widths hereinafter mentioned in connection therewith respectively (that is to say):—

Width of roadways over bridges.

| No. on plans.  | Parish or other area. | Description of roadway. | Width of roadway. |
|----------------|-----------------------|-------------------------|-------------------|
| RAILWAY No. 1. |                       |                         |                   |
| 6              | Kingsbury             | Kingsbury Road          | 100 feet          |
| RAILWAY No. 2. |                       |                         |                   |
| 3              | Wembley               | Bridge Road             | 40 feet           |

14. Notwithstanding anything contained in section 46 of the Railways Clauses Consolidation Act 1845 the Company shall not be liable to maintain the surface of any road or public highway under which the works shall be constructed except so far as the level of such road or highway is permanently altered:

Company not liable to repair surface of roads level of which is not permanently altered.

Provided that nothing in this section shall relieve the Company from any liability which they were under immediately before the passing of this Act for the maintenance of any such road or highway.

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Period for  
completion  
of new  
railways.

Use of  
streams &c.  
for re-  
moving  
water.

**15.** If the new railways 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 Company for making and completing the same shall cease except as to so much thereof as is then completed.

**16.** The Company may subject to the provisions of this Act use for the discharge of any water pumped or found by them during the construction of the works any available stream or watercourse or any sewer or drain of the council of any urban or rural district in or through which the works may be constructed or pass and for that purpose may lay down take up and alter conduits pipes and other works and make any convenient connections with any such stream watercourse sewer or drain within the limits of deviation :

Provided that any water so discharged shall be as free as may be reasonably practicable from mud or solid or offensive matter.

Works to  
form part of  
undertaking  
of Company.

For protec-  
tion of  
Post Office.

**17.** The works shall for all purposes including the purpose of tolls rates and charges form part of the undertaking of the Company.

**18.—(1)** Section 26 (For protection of Postmaster-General) of the Metropolitan Railway Act 1901 shall apply in relation to the working by electrical power of the works.

(2) If the execution of the works involves the removal or alteration of any Post Office letter box or telephone call box the Company shall not remove or alter such box but shall give notice to the Postmaster-General of the removal or alteration required and the Postmaster-General shall remove or alter the box as he may think fit and the Company shall pay to the Postmaster-General all expenses incurred by him in relation to such removal or alteration.

General pro-  
visions for  
protection  
of gas water  
hydraulic  
power and  
electric com-  
panies and  
public  
bodies.

**19.—(1)** Before commencing the works in or under any street in or under which any mains pipes syphons plugs wires or other works (hereinafter called " apparatus ") of any local authority company body or person whose apparatus may be interfered with during the construction of the works are situate (each such local authority company body or person being hereinafter in this section referred to as " the protected company ")

the Company shall deliver to the protected company plans sections and descriptions of all works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the protected company at least twenty-eight days before the commencement of any such work.

If it should appear to the protected company that such works will interfere with or endanger any of their apparatus or impede the supply of water gas hydraulic power or electrical energy the protected company may give notice to the Company to lower or otherwise alter the position of such apparatus or to support the same or to substitute temporarily or otherwise other apparatus in such manner as may be considered necessary and to lay or place under any apparatus cement concrete or other like substance and any difference as to the necessity of such lowering alteration support substitution laying or placing cement concrete or other like substance (hereinafter called "protective works") shall be settled as hereinafter provided and the protective works shall save as hereinafter provided be done and executed by and at the expense of the Company but to the satisfaction and under the superintendence (if such superintendence be given) of the engineer of the protected company and the reasonable costs charges and expenses of such superintendence shall be paid by the Company And if any protected company by notice in writing to the Company within fourteen days after the receipt by the protected company of notice of the intended commencement by the Company of any such works of the Company so require the protected company may by their own engineer or workmen do and execute protective works so far as they affect the apparatus of the protected company and the Company shall on the completion thereof pay to the protected company the reasonable expenses incurred by them in the execution of such protective works.

(2) In the event of the plans sections and descriptions as delivered to the protected company as aforesaid not being objected to within twenty-eight days from such delivery the works shown and described thereon shall be executed in strict accordance therewith.

(3) The protected company may if they deem fit employ watchmen or inspectors to watch and inspect

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(4) If any interruption in the supply of water gas hydraulic power or electrical energy by the protected company shall without the written authority of the protected company be in any way occasioned either by reason of the exercise of the powers of this Act or by the act or default of the Company or of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the protected company for the use and benefit of the protected company a sum not exceeding ten pounds for every hour during which such interruption shall continue.

(5) The expense of all repairs or renewals of any apparatus of the protected company or any works in connection therewith which may at any time hereafter be rendered necessary either by reason of the exercise of the powers of this Act or by the acts or defaults of the Company their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of any subsidence resulting from the works of the Company whether during the construction of the works or at any time thereafter shall be borne and paid by the Company.

(6) It shall be lawful for the protected company and the engineers workmen and others in their employ at all times when it may be necessary to enter upon the lands of the Company at any point or place where there is existing apparatus of the protected company and to do all such works in and upon such lands as may be necessary for repairing maintaining or removing or replacing or extending such apparatus under or over the same lands and notwithstanding the stopping up temporarily of any public street or place under the powers of this Act to exercise the same rights of access as they now enjoy to all or any apparatus of the protected company situate in or under any such street or place Provided always that in so doing the protected company their engineers or work-

men or others in the employ of the protected company shall not interrupt the user of any of the works of the Company by this Act or any other Act authorised. Provided also that the protected company shall make good and reimburse to the Company all damages to such last-mentioned works occasioned by the exercise of the powers by this section reserved to the protected company.

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(7) If any difference shall arise with respect to any matter under this section between the Company and the protected company or their respective engineers or concerning any plans sections or descriptions to be delivered to the protected company under the foregoing provisions of this section the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of the Company and the protected company or either of them by the President of the Institution of Civil Engineers under the provisions of the Arbitration Act 1889 and in settling any question under this section an arbitrator shall have regard to any duties or obligations which the protected company may be under in respect of their apparatus and may if he thinks fit require the Company to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the protected company's apparatus is used.

(8) The Company shall not alter divert or otherwise interfere with any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the said Act.

**20.** Seven days before entering upon breaking up or otherwise interfering with any street or road in connection with the construction of any works under the powers of this Act within the area of the metropolitan police district the Company shall give notice in writing to the Commissioner of Police of the metropolis and make such arrangements with the said Commissioner of Police as may be reasonably necessary so as to cause as little interference with the traffic in such street or road during the construction of such works as may be reasonably practicable.

As to works within metropolitan police district.



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PART III.

LANDS.

Power to  
take lands  
for works.

**21.** Subject to the provisions of this Act the Company may enter upon take and use all or any part of the lands delineated upon the deposited plans and described in the deposited book of reference which they may require for the purposes of the works.

Period for  
compulsory  
purchase of  
lands.

**22.** The powers for the compulsory purchase of lands by the Company under or for the purposes of this Act shall cease after the first day of October nineteen hundred and thirty-three.

Power to  
owners to  
grant ease-  
ments &c.

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

Owners may  
be required  
to sell parts  
only of  
certain  
properties.

**24.** And whereas in the construction of the works or otherwise in the exercise by the Company of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Company and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the schedule to this Act and whereof a portion only is required for the purposes of the works or in the exercise by the Company of the powers of this Act or each or any of them are hereinafter in this section included in



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the term " the owner " and the said properties are hereinafter in this section referred to as " the scheduled properties " :

- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :
- (3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Company have compulsory powers of purchase) can be so severed :
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to

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treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :

- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not it shall determine that any other portion can be so severed) the Company may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Company in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and its final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

The provisions of this section shall be stated in every notice given thereunder to sell and convey any premises.

**25.** In settling any question of disputed compensation payable under this Act by the Company the tribunal 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-nine if in the opinion of the tribunal 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.

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—  
Compensation in case of recent improvements &c.

**26.** The tribunal shall if so required by the Company award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Company by the claimant giving sufficient particulars and in sufficient time to enable the Company to make a proper offer and if the tribunal shall be of opinion that no such statement giving such sufficient particulars and in such sufficient time as aforesaid has been delivered and that the Company has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant. Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Company to amend the statement in writing of the claim delivered by him to the Company in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Company if they object to the amendment and such amendment shall be subject to such terms enabling the Company to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper in all the circumstances of the case. Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Costs of arbitration &c. in certain cases.

**27.** The Company and their surveyors officers contractors and workmen may from time to time at all reasonable times in the day upon giving in writing for

Power to Company to enter upon property

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—  
for survey  
and valua-  
tion.

the first time twenty-four hours and afterwards from time to time twelve hours previous notice enter upon and into the lands by this Act authorised to be taken and used by the Company or any of them for the purpose of surveying and valuing the said lands 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.

Power to  
deal with  
lands not  
required for  
purposes  
of under-  
taking.

**28.** The Company may sell the freehold or other interest of and in or grant building repairing or other leases of or dispose of on such terms and conditions or may retain hold and use for such purposes as they may think fit any lands acquired by them under the authority of this Act or in trust for them or any part thereof and which lands may not be required for the purposes of the undertaking of the Company and any such land shall not be deemed to be land not required for the purposes of such undertaking within the meaning of the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands.

Extending  
section 38 of  
Metropoli-  
tan Railway  
Act 1906 as  
amended by  
section 17 of  
Metropoli-  
tan Railway  
Act 1910 to  
lands of  
Company.

**29.** The powers rights privileges and authorities conferred on or granted to the Company by section 38 (Powers as to building on or over lands stations or railways of Company) of the Metropolitan Railway Act 1906 as amended by section 17 (For protection of Commissioners of Works) of the Metropolitan Railway Act 1910 shall extend and apply to and may be exercised by the Company with respect to any lands acquired by them under the authority of this Act or in trust for them and to the buildings to be erected thereon or any part thereof but subject always to the limitations conditions and provisions in the said section 38 contained so far as the same may be applicable.

As to private  
rights of way  
over lands  
taken com-  
pulsorily.

**30.** All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished. Provided that the 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 modified by this Act with reference to the taking of lands otherwise than by agreement.

**31.** The Company may hold use and appropriate for the general purposes of their undertaking the lands hereinafter mentioned which have already been acquired by the Company and are shown on the plan which has been signed in duplicate by Herbert Dunnico the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which plan one copy has been deposited in the Office of the Clerk of the Parliaments in the House of Lords and one copy in the Committee and Private Bill Office of the House of Commons and thereon coloured red and the expenditure by the Company in connection with the acquisition of the said lands is hereby sanctioned and confirmed and the said lands shall be deemed to be acquired under the powers of this Act.

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—  
Purchase of  
certain lands  
by Company  
confirmed.

The lands hereinbefore referred to are—

In the county of Middlesex—

(a) Land comprising 1333 square yards or thereabouts lying on the south-east side of a road known as Barnhill Road in the urban district of Kingsbury forming part of enclosures numbered 262 and 270 in the parish of Kingsbury on the  $\frac{1}{2500}$  Ordnance map (Middlesex sheet XI. 14 edition of 1914);

(b) Land comprising 1 acre and 4275 square yards or thereabouts lying to the south-west of a road known as Station Road in the rural district of Hendon forming part of enclosures numbered 18E 10 and 11 in the parish of Pinner on the  $\frac{1}{2500}$  Ordnance map (Middlesex sheet X. 10 edition of 1914).

#### PART IV.

#### FINANCE.

**32.—**(1) The Company may from time to time subject to the provisions of this Act raise further money in all or any one or more of the following ways (that is to say):—

Power to  
Company to  
raise further  
money.

(a) By the issue of new ordinary stock;

(b) By the issue of new preference stock;



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(c) By borrowing on mortgage of their undertaking;

(d) By the creation and issue of debenture stock charged on their undertaking:

Provided always that the aggregate amount of the moneys so from time to time raised shall not exceed five hundred thousand pounds in the whole including any premiums or allowing for any discounts as the case may be on the issue of new ordinary stock or new preference stock or debenture stock.

(2) Section 113 of the Stamp Act 1891 as altered and amended by subsequent enactments shall apply in all respects to the increase of capital authorised by this section as though the issue of any new ordinary or new preference stock authorised by this section were the authorisation within the meaning of section 113 aforesaid of the increase of nominal capital of the Company to the amount of such new stock issued and in lieu of the stamped statement to be delivered thereunder there shall be delivered by the Company to the Commissioners of Inland Revenue a similar stamped statement on every occasion of and within one month after the issue of any new ordinary or new preference stock authorised by this section relating to the amount of such issue and all the provisions of section 113 aforesaid (as altered and amended as aforesaid) shall apply thereto subject to the modification imposed by this section.

New stock to be subject to same incidents as other shares or stock.

**33.** Except as by this Act otherwise provided the capital in new ordinary or preference stock created by the Company under this Part of this Act and the new ordinary or preference stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description and the new ordinary or preference stock were stock in that capital.

New stock to form part of capital of Company.

**34.** The capital in new ordinary or preference stock so created shall form part of the capital of the Company.

Dividend on new stock.

**35.** Every person who becomes entitled to such new ordinary or preference stock shall in respect of the same be a holder of stock in the Company and shall be entitled



to a dividend with the other holders of ordinary or preference stock of the same class or description proportioned to the whole amount from time to time paid on such new ordinary or preference stock.

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**36.** Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new ordinary or preference stock and to the provisions of this Act the Company may if they think fit raise by the creation and issue of new ordinary or preference stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new ordinary or preference stock.

New and existing stock may be of same class.

**37.** The interest of all mortgages and (notwithstanding anything in the provisions of Part III of the Companies Clauses Act 1863 contained) of all debenture stock granted created or issued by the Company under any previous Act or this Act or any subsequent Act shall subject to the provisions of any subsequent Act rank *pari passu* (without respect to the dates of the securities or the Acts of Parliament or resolutions by which the mortgages and debenture stock were authorised) and shall have priority over all principal moneys secured by such mortgages. Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

As to debenture stock.

**38.** Any debenture stock which under the provisions of this Act or any other Act or Acts of Parliament passed before or after the passing of this Act may be created or issued by the Company may if issued as a three and a half per centum debenture stock be of the same class and description in all respects as and may be in addition to and form part of the existing Metropolitan Railway three and a half per centum "A" debenture stock.

Provisions as to issue of debenture stock.

**39.** Every provision in any Act passed before the present session of Parliament whereby the Company are authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of principal money or interest or principal money and interest shall be and the same is hereby repealed but without prejudice to any appointment which may have

For appointment of a receiver.

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A.D. 1930. been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provision.

The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Priority of principal moneys secured by existing mortgages.

40. The principal moneys secured by all mortgages granted by the Company in pursuance of the powers of any Act of Parliament passed before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages have priority over the principal moneys secured by any mortgages granted after the passing of this Act under this or any previous Act.

Receipt in case of persons not sui juris.

41. If any money is payable to a stockholder mortgagee or debenture stockholder of the Company being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Power for Company to pay interest out of capital.

42.—(1) Notwithstanding anything in this Act or in any Act or Acts incorporated herewith the Company may out of any money by this Part of this Act authorised to be raised pay interest at such rate not exceeding four pounds per centum per annum as the Company may determine to any stockholder on the amount from time to time paid up on the stock held by him from the respective times of such payments until the expiration of the time limited by this Act for the completion of the new works or such less period as the Company may determine but subject always to the conditions hereinafter stated (that is to say):—

(a) No such interest shall begin to accrue until the Company shall have deposited with the Minister of Transport a statutory declaration by two of the directors and the secretary of the Company that two thirds at least of the capital authorised by this Part of this Act in respect of which such interest may be paid has been actually issued

and accepted and is held by stockholders who or whose executors administrators or assigns are legally liable for the same;

- (b) No such interest shall accrue in favour of any stockholder for any time during which any call on any of his stock is in arrear;
- (c) The aggregate amount to be so paid for interest shall not exceed forty thousand pounds;
- (d) Notice that the Company have power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for stock and in every certificate of stock;
- (e) The yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

(2) The Company may charge to capital account the interest (accruing from the date or respective dates of borrowing or issue until the expiration of the time limited by this Act for the completion of the new railways or for such less period as the Company may determine) on all moneys which the Company may raise by borrowing or by the issue of debenture stock for the purpose of providing funds for the construction or equipment of the works or other purposes to or on which capital may under the provisions of this Act or any other Act relating to the Company be applied or expended.

(3) Save as hereinbefore set forth no interest shall be paid out of any capital raised or moneys borrowed by the Company to any stockholder on the amount of the calls made in respect of the stock held by him but nothing in this Act shall prevent the Company from paying to any stockholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

**43.** Notwithstanding anything contained in section 6 (As to investment of pension fund) of the Metropolitan Railway (Pension Fund) Act 1907 it shall be lawful for the managing committee for the time being of the pension fund established under that Act to permit any moneys

As to investment of Metropolitan Railway pension fund.

A.D. 1930. forming part of the said pension fund to be invested in the name of the Metropolitan Railway (Pension Fund) Trustees Limited.

Power for Company to apply corporate funds to purposes of Act.

**44.** The Company may apply to any of 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 now have in their hands or which they have power to raise by stock debenture stock or borrowing on mortgage by virtue of any Act relating to the Company and which may not be required for the purposes to which they are by any such Act made specially applicable.

Application of money by Company.

**45.** All money raised by the Company under this Act whether by stock debenture stock or borrowing shall be applied only for the purposes of this Act and for the general purposes of the undertaking of the Company to which capital is properly applicable or for any of such purposes.

#### PART V.

#### MISCELLANEOUS.

For protection of de Havilland Aircraft Company Limited.

**46.** Notwithstanding anything in this Act or shown on the deposited plans the following provisions for the protection of the de Havilland Aircraft Company Limited. (in this section referred to as "the aircraft company") shall except so far as may be otherwise agreed in writing between the Company and the aircraft company apply and have effect (that is to say):—

- (1) The Company shall not construct so much of Railway No. 1 by this Act authorised as will be situate upon the lands numbered on the deposited plans 9 in the parish of Little Stanmore (in this section called "the said lands") eastward of an imaginary line drawn parallel to and at a distance of one hundred and fifty feet east of the centre line of the said railway shown on the deposited plans:
- (2) The said railway shall not at any point on the said lands be carried on an embankment of a greater height than twenty-five feet above the level of the existing surface of the ground:

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(3) The Company shall not at any point on the said lands erect any wires or other fixed obstructions to flying which will be situate at a greater height than twenty-five feet above the level of the existing surface of the ground except such signals (if any) as may be required by the Minister of Transport :

(4) If within fourteen days after the service upon the aircraft company of a notice to treat for the acquisition by the Company of the rights and interests of the aircraft company in such part of the said lands as may be required for the purpose of constructing the said Railway No. 1 the aircraft company by notice in writing under their common seal request the Company to purchase their rights and interests in so much of the said lands as lies to the westward of the said part of the said lands the Company shall purchase and the aircraft company shall sell such last-mentioned rights and interests at a price to be determined (in default of agreement) by arbitration under and subject to the provisions of the Lands Clauses Acts.

47. For the protection of George Brettle and Company Limited (in this section called " the owners ") the following provisions shall notwithstanding anything in this Act or shown on the deposited plans and sections and unless otherwise agreed between the Company and the owners apply and have effect (that is to say) :—

For protec-  
tion of  
George  
Brettle and  
Company  
Limited.

If within fourteen days after service upon the owners of a notice to treat for the acquisition by the Company of the rights and interests of the owners in such part of the lands numbered on the deposited plans 30 in the urban district of Wembley as may be required for the purpose of constructing Railway No. 1 by this Act authorised the owners by notice in writing under their common seal request the Company to purchase their rights and interests in the remainder of the said lands (if any) the Company shall purchase and the owners shall sell such last mentioned rights and interests at a price to be determined (in default of agreement)



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by arbitration under and subject to the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands otherwise than by agreement.

For protection of  
Kingsbury  
Urban  
District  
Council.

48. For the protection of the urban district council of Kingsbury (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Company and the council apply and have effect in reference to the exercise of the powers of this Act (that is to say):—

- (1) Any works of the Company which will cross or interfere with any street sewer drain or other work vested in or belonging to the council shall be executed in accordance with plans and sections previously submitted to and reasonably approved by the council. If the council do not within twenty-eight days from the submission to them of any such plans and sections express to the Company in writing their approval or disapproval thereof they shall be deemed to have approved thereof. All such works shall be done under the supervision (if given) and to the reasonable satisfaction of the council who may inspect by their surveyor or other officer any such works:
- (2) Whenever in the execution of the works it becomes necessary to remove or displace any sewer or drain vested in the council the Company shall before removing or displacing the same construct another sewer or drain in lieu thereof and of equal capacity with the sewer or drain proposed to be removed or displaced and such substituted sewer or drain shall be connected by the council with the existing sewers and drains of the council at such point and in such manner as shall be reasonably necessary and the Company shall pay to the council the reasonable expenses incurred by the council in making such connections:
- (3) Before commencing to construct so much of the works as will be situate over or along so much of the sewers of the council as are situate under



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the properties numbered on the deposited plans 1 3 6 7 8 14 83 85 and 86 in the urban district of Kingsbury (in this section referred to as "the district") the Company shall if required by the council at the expense of the Company divert the said sewers so that they shall be carried across the railways and property of the Company as near as reasonably possible at right angles to the same and in such position and with such gradients as may be reasonably required by the council and so that the council may have reasonable access to the said sewers for the purpose of examination alteration renewal or repair :

- (4) In the construction of Railway No. 1 by this Act authorised where the same passes under the road numbered on the deposited plans 6 in the district the Company shall not deviate upwards from the levels shown on the deposited sections without the consent of the council but such consent shall not be unreasonably withheld :
- (5) (a) If the road shown on the map referred to in the scheme prepared by the council under the Town Planning Act 1925 and thereon numbered 8 shall have been constructed prior to the date upon which the Company commence to construct so much of the said Railway No. 1 as will cross the said road the Company shall carry the said road over the said railway by means of a bridge having a clear width of not less than 50 feet between the fences or parapets thereof ;

(b) In constructing the said Railway No. 1 the Company shall at a point 2 miles 0 furlongs and 4·2 chains or thereabouts from its commencement provide a bridge having a clear width of 50 feet between the abutments measured on the square and a clear headway of not less than 16 feet 6 inches above the level of the existing surface of the ground for the purpose of enabling a road proposed to be constructed in connection with a scheme prepared by the council under the Town Planning Act 1925 to be carried under the said railway :

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Provided that the Company may provide such bridge at any point not being less than 2 miles from the commencement of the said railway or more than 2 miles 1 furlong from such commencement if having regard to the situation of any road proposed to be constructed in connection with any scheme proposed by any other authority under the Town Planning Act 1925 it is reasonably necessary so to do to enable both the said roads to be carried under the said railway at the same point;

(c) Every bridge constructed by the Company for carrying any public road in the district over the said Railway No. 1 shall be so maintained by the Company as at all times to support all traffic lawfully using such road and any steam or other roller traction or other engine or apparatus which the council or their contractors may reasonably and ordinarily use for repairing the highways under the control of or repairable by the council and the Company shall indemnify the council against and make good to them all costs and expenses the council may reasonably incur or be put to in the maintenance or repair of any such road by reason of any defect or insufficiency of the strength of the works of the Company or any neglect properly and effectually to construct maintain and keep in good repair the same:

(6) The Company shall when constructing a bridge to carry any public road in the district over the said Railway No. 1 provide such accommodation in or under such bridge as the council may reasonably require for carrying sewers drains pipes and electric mains or wires over the said railway:

(7) The public footpath situate at a point 1 mile 4 furlongs 15 chains from the commencement of the said Railway No. 1 shall be carried over the said railway by means of a footbridge 5 feet in width to be constructed to the reasonable satisfaction of the council and the Company

shall at all times maintain and keep the said bridge and any steps leading thereto in a safe and clean condition :

- (8) All bridges constructed by the Company under the powers of this Act over any public highway in the district shall so far as reasonably practicable be made and maintained by the Company so as to prevent the dripping of water therefrom on to such highway :
- (9) If the council shall at any time require to construct or lay under or across any portion of the said Railway No. 1 any sewer or drain in connection with the sewerage or surface water drainage of the district the Company shall afford to the council all reasonable facilities for the construction or laying of such sewer or drain and shall not charge any wayleave in respect thereof and the council shall at their own expense carry out such works so far as the same may be under or across the said railway under the supervision and to the reasonable satisfaction of the engineer of the Company and so as not to interfere with the use and working of the said railway and the traffic thereon and the existence of any such sewer or drain shall not be deemed or claimed to prevent the full use and development of the property of the Company Provided that if the Company so elect they shall be at liberty at the expense of the council to carry out themselves the said works so far as they affect the property of the Company :
- (10) If any extra expense be incurred by the council for the strengthening or repair (if reasonably necessary) of any street or road of the council by reason of the extraordinary traffic in the making or construction of the works or by reason of the diversion thereto of traffic in consequence of the making or construction of the works the Company shall repay the amount of such expense to the council :
- (11) The Company shall not deposit any subsoil or materials anywhere within the district so as to

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cause any nuisance or obstruction to any person using the streets roads or footpaths within the district :

- (12) The provisions of the section of this Act of which the marginal note is " Use of streams &c. for removing water " shall not apply to any sewer or drain of the council other than a sewer or drain the use of which is limited to the discharge of surface water :
- (13) It shall not be lawful for the Company 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 may be reasonably approved by the council and the Company shall not affix or exhibit or permit to be affixed or exhibited upon any such hoardings as aforesaid any advertisement or placard unless the same shall relate exclusively to the business of the Company or shall have been approved in writing by the council but such approval shall not be unreasonably withheld If any such advertisement or placard be affixed or exhibited without such approval as aforesaid the council or their authorised officers may remove the same :
- (14) The 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 or under the control of or repairable by the council which may be caused by or in consequence of any act or default of the 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) In constructing and maintaining so much of the works as is situate in the district and is on an embankment the Company shall plant the slopes of such embankment with grass so as to preserve as far as reasonably possible the amenities of the district :

(16) Any difference which may arise under the provisions of this section between the council and the Company shall be from time to time referred to and determined by an engineer to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

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49. For the protection of the rural district council of Hendon (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Company and the council apply and have effect in reference to the exercise of the powers of this Act (that is to say):—

For protection of Hendon Rural District Council.

- (1) Any works of the Company which will cross or interfere with any sewer drain or other work vested in or belonging to the council shall be executed in accordance with plans and sections previously submitted to and reasonably approved by the council. If the council do not within twenty-eight days from the submission to them of any such plans and sections express to the Company in writing their approval or disapproval thereof they shall be deemed to have approved thereof. All such works shall be done under the supervision (if given) and to the reasonable satisfaction of the council who may inspect by their surveyor or other officer any such works:
- (2) Whenever in the execution of the works it becomes necessary to remove or displace any sewer or drain vested in the council the Company shall before removing or displacing the same construct another sewer or drain in lieu thereof and of equal capacity with the sewer or drain proposed to be removed or displaced in such position as the council may reasonably require and with such protective covering and manholes (if any) as may be reasonably necessary and such substituted sewer or drain shall be connected by the council with the existing sewers and drains of the council at such point

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or points and in such manner as shall be reasonably necessary and the Company shall pay to the council the reasonable expense incurred by the council in making such connections :

- (3) Before commencing to construct so much of the works as will be situate over or along so much of the sewer of the council as is situate under the properties numbered on the deposited plans 91 and 95 in the urban district of Kingsbury the Company shall if required by the council at the expense of the Company divert the said sewer so that it shall be carried under the railways and property of the Company as near as reasonably possible at right angles to the same and in such position and with such gradient as may be reasonably required by the council and shall provide at the like expense such protective covering and manholes (if any) as may be reasonably necessary and the diversion of the said sewer shall be carried out under the supervision (if given) and to the reasonable satisfaction of the council who may by their surveyor or other officer inspect the same :
- (4) The Company before commencing any works which would interfere with the public footpath crossing the line of Railway No. 1 by this Act authorised at a point approximately 2 miles 3 furlongs 2·5 chains from the commencement of the said railway shall provide a footbridge of a width of five feet between the parapets with proper steps to carry the said footpath over the said railway :
- (5) The public footpath situate at a point 3 miles 3 furlongs or thereabouts from the commencement of the said Railway No. 1 shall be carried over the said railway by means of a footbridge five feet in width between the parapets to be constructed with parapets not less than five feet in height to the reasonable satisfaction of the council and the Company shall at all times maintain and keep the said bridge and any steps leading thereto in a safe and clean condition.



- (6) If the council shall at any time require to construct or lay under or across any portion of the said Railway No. 1 any sewer or drain in connection with the sewerage or surface water drainage of the council's district the Company shall afford to the council all reasonable facilities for the construction or laying of such sewer or drain and shall not charge any wayleave in respect thereof and the council shall at their own expense carry out such works so far as the same may be under or across the said railway under the supervision and to the reasonable satisfaction of the engineer of the Company and so as not to interfere with the use and working of the said railway and the traffic thereon and the existence of any such sewer or drain shall not be deemed or claimed to prevent the full use and development of the property of the Company Provided that if the Company so elect they shall be at liberty at the expense of the council to carry out themselves the said works so far as they may affect the property of the Company :
- (7) The provisions of the section of this Act of which the marginal note is " Use of streams &c. for removing water " shall not apply to any sewer or drain of the council other than a sewer or drain the use of which is limited to the discharge of surface water :
- (8) The Company shall make full compensation to the council for any subsidence of or damage to any sewer drain or other work vested in or under the control of or repairable by the council which may be caused by or in consequence of any act or default of the 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 :
- (9) The Company shall not purchase or acquire a greater amount of the lands of the council numbered on the deposited plans 2 in the parish of Great Stanmore than would be included between a line drawn parallel with the centre

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line of the said Railway No. 1 at a distance of 110 feet therefrom on the westerly side thereof and such centre line :

- (10) Any difference which may arise under the provisions of this section between the council and the Company shall be from time to time referred to and determined by an engineer to be appointed on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference.

For protec-  
tion of  
Wembley  
Urban  
District  
Council.

50. For the protection of the urban district council of Wembley (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the Company and the council apply and have effect in reference to the exercise of the powers of this Act (that is to say) :—

- (1) Notwithstanding anything shown on the deposited plans Railway No. 1 by this Act authorised shall be carried over the site of the road intended to be constructed in the lands numbered on the deposited plans 6 9 and 10 in the urban district of Wembley by means of a bridge having a clear span of not less than sixty feet between the abutments and a clear headway throughout of not less than sixteen feet six inches above the mean level of so much of the existing surface of the said lands numbered 9 as is traversed by the centre line of the said Railway No. 1 as shown on the deposited plans in the manner and situation shown on the plan signed in duplicate by Edward Arthur Wilson on behalf of the Company and by Cecil Robert William Chapman on behalf of the council one copy of which has been deposited with the Company and the other with the council :
- (2) Notwithstanding anything shown on the deposited plans the public footpaths situate in the lands numbered on the deposited plans 22 24 and 29 in the urban district of Wembley shall be carried over the said railway by means of

footbridges having a clear width throughout of five feet and such bridges and the approaches thereto shall be constructed to the reasonable satisfaction of the council at the expense of the Company and thereafter maintained by and at the expense of the Company :

- (3) The parapets or screens of every bridge constructed within the district of the council by the Company for carrying Railways Nos. 1 and 2 by this Act authorised over any public road or for carrying any public road over the said railways shall be not less than four feet six inches in height. The parapets or screens of every such bridge carrying a public road over the said railways shall be of brick suitably panelled :
- (4) All the abutment walls of bridges constructed by the Company in connection with any public road in the district of the council shall be faced with brindle bricks up to dado height and bricks of varied or approved tints above and the bridges shall be so constructed as to prevent as far as reasonably practicable the dripping of water from the said bridges on to such road :
- (5) Before commencing the construction of any works required by or under subsections (1) and (2) of this section the Company shall submit to the council plans and sections thereof for their reasonable approval and if the council shall not within twenty-one days after the submission to them of any such plans and sections signify to the Company in writing their approval or disapproval thereof they shall be deemed to have approved thereof :
- (6) The works shown or described on the plans and sections referred to in the last preceding subsection of this section shall not be executed otherwise than in accordance with such plans and sections as may be so approved by the council or settled by arbitration as hereinafter provided :
- (7) The Company shall not interfere with the traffic on any road in the district of the council to any

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greater extent or for any longer period than shall be reasonably necessary for the purposes of the execution of the works :

- (8) The Company shall not place any hoarding on any part of any highway in the district of the council except with the reasonable approval of the council and for such period and in such manner as may be necessary during and for the purpose of the execution of the works. No advertisement shall be posted on any such hoarding :
- (9) Any works of the Company which will interfere with any street sewer drain sanitary convenience or other work vested in or belonging to the council shall be executed at the expense of the Company in accordance with plans and sections previously submitted to and reasonably approved by the council. If the council do not within twenty-one days from the submission to them of any such plans and sections signify to the Company in writing their approval or disapproval thereof they shall be deemed to have approved thereof. All such works shall be done under the supervision (if given) and to the reasonable satisfaction of the council who may inspect by their surveyor or other officer any such works :
- (10) If the council shall at any time require to construct or lay under or across any portion of the said Railways Nos. 1 or 2 any sewer or drain in connection with the sewerage or surface water drainage of their district the Company shall afford to the council all reasonable facilities for the construction or laying of such sewer or drain and shall not charge any wayleave in respect thereof and the council shall at their own expense carry out such works so far as the same may be under or across the said railways under the supervision and to the reasonable satisfaction of the engineer of the Company and so as not to interfere with the use and working of the said railways and the traffic thereon but the existence of any such sewer or drain shall

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not be deemed or claimed to prevent the full use and development of the property of the Company. Provided that if the Company so elect they shall be at liberty at the expense of the council to carry out themselves the said works so far as they affect the property of the Company but before doing so the Company shall submit to the council an estimate of the cost of such works :

(11) In the case of any difference between the Company and the council with respect to any of the matters in this section hereinbefore contained such difference shall be referred to and determined by an engineer to be appointed in default of agreement on the application of either party (after notice in writing to the other) by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference :

(12) The provisions of the section of this Act of which the marginal note is " Use of streams &c. for removing water " shall not apply to any sewer or drain of the council other than a sewer or drain the use of which is limited to the discharge of surface water.

**51.** Notwithstanding the provisions of this Act or any enactments incorporated therewith the directors of the Company may from time to time by virtue of this section and without further or other sanction or authority exercise the powers conferred upon the Company by this Act or any enactments incorporated therewith.

Powers of Act may be exercised by directors.

**52:** For the purpose of section 35 of the London Hackney Carriage Act 1831 (as amended by subsequent Acts) any premises within the limits of those Acts now or hereafter belonging or leased to or under the control or management of the Company solely or in conjunction with any other company or companies or of any joint committee now or hereafter incorporated or constituted by Act of Parliament on which the Company may be represented shall be deemed to be a street or place.

Control of taxicabs.



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—  
Joint  
holders.

**53.**—(1) Notwithstanding anything in the Companies Clauses Act 1845 where several persons are jointly entitled to and registered as holders of stock of the Company any one of those persons may vote at any meeting of the Company either personally or by proxy in respect of the stock as if he were solely entitled thereto but if more than one of the joint holders be present at any meeting personally or by proxy that one of the said persons so present whose name stands first on the register in respect of the stock shall alone be entitled to vote in respect thereof.

(2) Several executors or administrators of a deceased member in whose name stock stands shall for the purposes of this section be deemed joint holders thereof.

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

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

Provision as  
to general  
Railway  
Acts.

**55.** Nothing in this Act contained shall exempt the Company or their railway 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 the Company.

Costs of  
Act.

**56.** All costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

The SCHEDULE referred to in the foregoing Act. A.D. 1930.

DESCRIBING PROPERTIES OF WHICH PORTIONS ONLY  
MAY BE TAKEN.

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|                           |    |
|---------------------------|----|
| Urban district of Wembley | 2. |
|---------------------------|----|

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Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

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