

[20 & 21 GEO. 5.] *London Electric* [Ch. lxxxviii.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.



CHAPTER lxxxviii.

An Act to empower the London Electric Railway Company to construct new railways subways and works and to raise additional moneys to empower the Metropolitan District Railway Company to construct widenings of portions of its railway and to raise additional moneys to empower the Central London Railway Company to construct subways and works and to raise additional moneys to empower the City and South London Railway Company and the Metropolitan District Railway Company to construct a subway and to confer further powers on the said and other companies and for other purposes. A.D. 1930.
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[4th June 1930.]

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

[Price 5s. Net.]

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And whereas the railways widenings subways works and powers hereinafter mentioned will benefit the said general system of railways and the traffic thereon and be for the convenience of the public :

And whereas it is expedient that the London Company should be authorised to extend its railways and to construct subways and works and acquire additional lands as in this Act provided :

And whereas it is expedient that the powers for construction of works in this Act mentioned should be conferred on the District Company the Central Company and the City Company :

And whereas it is expedient that powers in relation to the raising of additional moneys should be conferred on the London Company the District Company and the Central Company as in this Act provided and that those companies and the City Company should respectively be authorised to exercise the other powers in this Act contained :

And whereas it is expedient that other powers should be conferred as in this Act contained :

And whereas plans and sections showing the lines and levels of the railways widenings subways and other works authorised by this Act and plans of the lands authorised to be acquired and in under or over 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 respective clerks of the peace for the counties of London Middlesex and Hertford and of the city 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

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this present Parliament assembled and by the authority A.D. 1930.
of the same as follows:—

PART I.

PRELIMINARY.

1. This Act may be cited as the London Electric Metropolitan District Central London and City and South London Railway Companies Act 1930. Short title.

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

Division of
Act into
Parts.

Part I.—Preliminary.

Part II.—London Company—Railways subways works and lands.

Part III.—District Company—Widenings.

Part IV.—Central Company—Subways and works.

Part V.—City Company and District Company—Subway.

Part VI.—General provisions as to lands and works.

Part VII.—London Company—Financial provisions.

Part VIII.—District Company—Financial provisions.

Part IX.—Central Company—Financial provisions.

Part X.—General financial provisions.

Part XI.—Miscellaneous.

Provided always that the division of this Act into Parts shall not nor shall anything in the titles to such Parts affect the construction of this Act.

3. The following Acts and parts of Acts are (except where varied by or inconsistent with 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

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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 London Company or the District Company or the Central Company or the City Company and the District Company or either of them as the case may be 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 carrying of passengers and goods upon the railway and the tolls to be taken thereon;

The regulation and use of the railway;

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.

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

Provided that the expression "the railway" where used in the said Acts of 1845 and 1863 shall be deemed to include the widenings and subways by this Act authorised.

The provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say):—

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:

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The forfeiture of shares for non-payment of calls; A.D. 1930.

The remedies of creditors of company against the shareholders;

The consolidation of the shares into stock;

The making of dividends;

The borrowing of money on mortgage or bond;

The conversion of the borrowed money into capital;

The application of capital;

The giving of notices;

The recovery of damages and penalties; and

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

Part II (relating to additional capital except the provisions thereof which limit the rate of dividend on preference capital) and Part III (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts.

The provisions of sections 18 to 23 of the Railways Clauses Consolidation Act 1845 shall for the purposes of this Act extend and apply to the water and gas mains pipes and apparatus of any local authority and shall be construed as if "local authority" were mentioned in those sections in addition to "company or society" Provided that any penalties recovered under section 23 shall be appropriated to that fund of the local authority to which their revenues in respect of water or gas (as the case may be) are appropriated.

4. In this Act save as is otherwise expressly provided therein 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 following

Interpreta-
tion.

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A.D. 1930. expressions have the meanings hereby respectively
— assigned to them (that is to say):—

“ the London Company ” means the London Electric
Railway Company;

“ the District Company ” means the Metropolitan
District Railway Company;

“ the Central Company ” means the Central London
Railway Company;

“ the City Company ” means the City and South
London Railway Company;

“ the four companies ” means the London Company
the District Company the Central Company and
the City Company;

“ the railways ” means the railways by this Act
authorised to be made by the London Company
and “ the railway ” means any of such railways;

“ the widenings ” means the widenings by this Act
authorised to be made by the District Company;

“ the subways ” means the subways and the
conveniences connected therewith by this Act
authorised;

“ the corporation ” means the mayor aldermen and
commons of the city of London in common
council assembled;

“ the London Act of 1893 ” “ the London Act of 1899 ”
“ the London Act of 1902 ” and “ the London
Act of 1903 ” respectively mean the Charing
Cross Euston and Hampstead Railway Acts
of 1893 1899 1902 and 1903;

“ the London Act of 1910 ” means the London
Electric Railway (Amalgamation) Act 1910;

“ the London Act of 1913 ” means the London
Electric Railway Act 1913;

“ the London Act of 1914 ” means the London
Electric Railway Act 1914;

“ the London Acts of 1910 to 1914 ” means the
London Act of 1910 the London Electric Railway
Act 1911 the London Electric Railway Act 1912
the London Act of 1913 and the London Act
of 1914;

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- “ the London Act of 1919 ” means the London Electric Railway Act 1919; A.D. 1930.
- “ the London Act of 1922 ” means the London Electric and City and South London Railway Companies Act 1922;
- “ the London Act of 1923 ” means the London Electric Railway Act 1923;
- “ the London Act of 1926 ” means the London Electric and Metropolitan District Railway Companies Act 1926.
- “ the London Acts of 1910 to 1926 ” means the London Acts of 1910 to 1914 and the London Acts of 1919 1922 1923 and 1926;
- “ the London Act of 1929 ” means the London Electric Metropolitan District and City and South London Railway Companies Act 1929;
- “ the District Act of 1897 ” “ the District Act of 1901 ” “ the District Act of 1903 ” “ the District Act of 1908 ” “ the District Act of 1910 ” “ the District Act of 1911 ” and “ the District Act of 1915 ” mean the Metropolitan District Railway Acts of 1897 1901 1903 1908 1910 1911 and 1915 respectively;
- “ the Act of 1920 ” means the Central London and Metropolitan District Railway Companies (Works) Act 1920;
- “ the Act of 1924 ” means the Central London and Metropolitan District Railway Companies Act 1924;
- “ the Central Act of 1891 ” “ the Central Act of 1901 ” “ the Central Act of 1902 ” “ the Central Act of 1907 ” “ the Central Act of 1909 ” “ the Central Act of 1913 ” and “ the Central Act of 1914 ” mean the Central London Railway Acts of 1891 1901 1902 1907 1909 1913 and 1914 respectively;
- “ the City Act of 1903 ” “ the City Act of 1919 ” and “ the City Act of 1923 ” mean the City and South London Railway Acts of 1903 1919 and 1923 respectively;

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“ parish clerks ” and “ clerks of the several parishes ”
in sections 7 8 and 9 of the Railways Clauses
Consolidation Act 1845 shall as regards the
county of London mean the town clerks of
the metropolitan boroughs and the town clerk
of the city of London.

PART II.

LONDON COMPANY—RAILWAYS SUBWAYS
WORKS AND LANDS.

Power to
London
Company to
make rail-
ways sub-
ways and
works.

5. Subject to the provisions of this Act the London Company may make and maintain in the lines and according to the levels shown in the deposited plans and sections the railways subways and other works in this Part of this Act described with all necessary and convenient tunnels stations platforms lifts escalators inclines stairs approaches passages subways sidings lay-byes stagings buildings sewers drains pipes wires apparatus plant depots 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 and for any other purpose connected with its undertaking and in connection with the said railways subways and other works the London Company may construct and maintain entrances steps lifts escalators shafts passages inclines and other approaches and conveniences connecting the said railways subways and works with the surface of the pavements or carriageways adjoining the same or with the platforms of stations :

Provided always that (except as expressly provided by this Act) nothing in this Act shall authorise the London Company to enter upon take or use the surface of any common or commonable lands public street or road but (subject as aforesaid) the London Company may enter upon take use and appropriate the subsoil and undersurface of any common or commonable lands or 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

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the purposes of the railways subways and works by this Part of this Act authorised without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

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6. The railways subways and works hereinbefore referred to and authorised by this Part of this Act will be situate in the counties of London Middlesex and Hertford and are—

Description] of railways, subways and works.

Railway No. 1 A railway 2 miles 0 furlongs 3·1 chains or thereabouts in length situate partly in the metropolitan borough of Islington and partly in the metropolitan borough of Stoke Newington both in the county of London and partly in the borough of Hornsey and partly in the urban district of Tottenham both in the county of Middlesex commencing in the borough of Hornsey by a junction with the termination of the London Company's existing railway under the railway of the London and North Eastern Railway Company at a point 34 yards or thereabouts measured in a north-easterly direction from the south-east corner of the premises known as No. 1 "The Facade" Stroud Green Road and 52 yards or thereabouts measured in an easterly direction from the north-east corner of the premises known as No. 4 The Parade Stroud Green Road and terminating in the urban district of Tottenham beneath Green Lanes at its junction with Turnpike Lane at a point 22 yards or thereabouts measured in an easterly direction from the south-east corner of the public house known as "The Wellington" and 27 yards or thereabouts measured in a southerly direction from the south-west corner of the premises known as No. 2 High Road;

Railway No. 2 A railway 2 miles 4 furlongs or thereabouts in length situate partly in the urban district of Tottenham partly in the urban district of Wood Green and partly in the urban district of Southgate all in the county of Middlesex commencing in the urban district of Tottenham by an end-on junction with

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Railway No. 1 at the termination thereof hereinbefore described and terminating in the urban district of Southgate in the field numbered 28 on the $\frac{1}{2500}$ Ordnance Map Middlesex sheet VII. 13 edition 1914 at a point 70 yards or thereabouts measured in a southerly direction from the centre of the second weir in Pymmes Brook below Waterfall Road adjoining the said field and 73 yards or thereabouts measured in a southerly direction from the western face of the culverts in Pymmes Brook situate directly to the east of the said weir;

Railway No. 3 A railway 3 miles 1 furlong 1·1 chains or thereabouts in length situate partly in the urban district of Southgate partly in the urban district of Enfield both in the county of Middlesex and partly in the urban district of East Barnet Valley in the county of Hertford commencing in the urban district of Southgate by an end-on junction with Railway No. 2 at the termination thereof hereinbefore described and terminating in the said urban district of Enfield in the field numbered 37 on the $\frac{1}{2500}$ Ordnance map Middlesex sheet VII. 1 edition 1914 at a point 176 yards or thereabouts measured in an easterly direction from the east boundary fence of Cockfosters Road along the southern boundary fence of the footpath leading from Cockfosters Road to Trent Park;

Railway No. 4 A railway 1 furlong 6·2 chains or thereabouts in length situate wholly in the city and metropolitan borough of Westminster in the county of London commencing at a point under the roadway of Piccadilly 68 yards or thereabouts measured in a north-easterly direction from the north-east corner of St. George's Hospital and 30 yards or thereabouts measured in a southerly direction from the south-west corner of Apsley House and terminating by a junction with the north-bound line of the London Company's existing railway at a point 12 yards or thereabouts measured in a southerly direction from the south-east corner of the premises known as No. 117 Piccadilly and

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26 yards or thereabouts measured in a north-
westerly direction from the centre of the gateway
in Green Park opposite Down Street; A.D. 1930.

Railway No. 5 A railway 3·65 chains or there-
abouts in length situate wholly in the city and
metropolitan borough of Westminster in the
county of London commencing by a junction
with Railway No. 4 under the roadway of
Piccadilly at a point 19 yards or thereabouts
measured in a southerly direction from the
south-east corner of the premises known as
No. 1 Park Lane and 23 yards or thereabouts
measured in an easterly direction from the
south-west corner of the last-mentioned premises
and terminating by a junction with the south-
bound line of the London Company's existing
railway at a point 27 yards or thereabouts
measured in a southerly direction from the
south-east corner of the premises known as
No. 117 Piccadilly and 20 yards or thereabouts
measured in a westerly direction from the
centre of the gateway in Green Park opposite
Down Street.

In the county of London—

Subway No. 1 A subway situate wholly in the
city and metropolitan borough of West-
minster commencing at a point under the
roadway of Knightsbridge 33 yards or there-
abouts measured in a north-westerly direction
from the north-east corner of St. George's
Hospital and 85 yards or thereabouts measured
in a south-westerly direction from the south-
west corner of Apsley House and terminating
under the roadway of Piccadilly at the
commencement of Railway No. 4 hereinbefore
described;

Subway No. 2 A subway situate partly in the
city and metropolitan borough of West-
minster and partly in the royal and
metropolitan borough of Kensington com-
mencing in the said city under Brompton
Road by a junction with Work No. 1 here-
inafter described at a point 32 yards or

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thereabouts measured in a northerly direction from the corner of the premises of Harrods Limited at the junction of Hans Crescent with Brompton Road and 29 yards or thereabouts measured in an easterly direction from the south-west corner of the premises known as No. 66 Brompton Road and terminating in the said city at a point 31 yards or thereabouts measured in a south-westerly direction from the north-west corner of the London Company's Knightsbridge Station premises in Brompton Road and 20 yards or thereabouts measured in a southerly direction from the south-east corner of the premises known as Nos. 16 and 18 Brompton Road;

Work No. 1 A booking hall situate partly in the city and metropolitan borough of Westminster and partly in the royal and metropolitan borough of Kensington in and under Brompton Road Hans Crescent Fulham Bridge Yard and Tullet Place and the premises known as 58a 60 62 64 66 68 79 81 83 and 85 Brompton Road and the premises of Harrods Limited on the western corner of Hans Crescent and Brompton Road and the streets roads and places adjoining the same for and in connection with Subway No. 2 hereinbefore described with entrances from and exits to such booking hall from the surface of Brompton Road and Hans Crescent;

Subway No. 3 A subway situate partly in the city and metropolitan borough of Westminster and partly in the metropolitan borough of Chelsea commencing in the said city under the roadway of Brompton Road at a point 37 yards or thereabouts measured in a north-easterly direction from the north-west corner of the London Company's Knightsbridge Station premises and 57 yards or thereabouts measured in a north-easterly direction from the south-east corner of the premises known as 16 and 18 Brompton

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Road and terminating in the said city under the roadway of Knightsbridge by a junction with Work No. 2 hereinafter described at a point 18 yards or thereabouts measured in a northerly direction from the corner of the premises known as No. 1 Brompton Road and 27 yards or thereabouts measured in a north-westerly direction from the corner of the premises in Knightsbridge of Harvey Nichols and Company Limited at the junction of Sloane Street and Knightsbridge;

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Work No. 2 A booking hall situate partly in the city and metropolitan borough of Westminster and partly in the metropolitan borough of Chelsea in and under the roadways of Knightsbridge Brompton Road and Sloane Street and the premises known as Nos. 1 and 3 Brompton Road and Nos. 70 72 and 74 Knightsbridge and the corner premises of Harvey Nichols and Company Limited at the junction of Sloane Street and Knightsbridge for and in connection with Subway No. 3 hereinbefore described with entrances from and exits to such booking hall from the surface of Knightsbridge Brompton Road and Sloane Street;

Subway No. 4 A subway situate wholly in the city and metropolitan borough of Westminster commencing under the roadway of Knightsbridge at a point 48 yards or thereabouts measured in a north-easterly direction from the north-west corner of the London Company's Hyde Park Corner Station premises and 41 yards or thereabouts measured in a northerly direction from the north-east corner of the said station premises and terminating under the roadway of Knightsbridge by a junction with Work No. 3 hereinafter described at a point 40 yards or thereabouts measured in a north-westerly direction from the north-east corner of St. George's Hospital and 87 yards or thereabouts measured in a south-westerly

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direction from the south-west corner of
Apsley House;

Work No. 3 A booking hall situate wholly in
the city and metropolitan borough of West-
minster in and under Knightsbridge and
places adjoining the same and the area at
the north-east corner of St. George's Hospital
for and in connection with Subway No. 4
with entrances from and exits to such booking
hall to and from the surface of Knightsbridge
and the said area and places adjoining the
same;

Subway No. 5 A subway situate wholly in the
city and metropolitan borough of West-
minster commencing under the roadway of
Piccadilly at a point 30 yards or thereabouts
measured in an easterly direction from the
east corner of Devonshire House and 16 yards
or thereabouts measured in a south-easterly
direction from the south corner of the Berkeley
Hotel and terminating under the Green Park
at a point 47 yards or thereabouts measured
in a south-easterly direction from the south
corner of Devonshire House and 66 yards or
thereabouts measured in a southerly direction
from the east corner of the said Devonshire
House;

Work No. 4 A booking hall situate wholly in the
city and metropolitan borough of Westminster
in and under the Green Park and Piccadilly
and the premises known as No. 6 Devonshire
House for and in connection with Subway
No. 5 with entrances from and exits to such
booking hall to and from the surface of
the Green Park and Piccadilly and the last-
mentioned premises;

Subway No. 6 A subway situate wholly in the
metropolitan borough of St. Pancras com-
mencing under the King's Cross Station of
the London and North Eastern Railway
Company at a point 17 yards or thereabouts
measured in a northerly direction along the

platform coping of platform No. 3 of that station from the southern end thereof and terminating in and under the London Company's surface station at King's Cross at a point 19 yards or thereabouts measured in a north-westerly direction from the south-east corner of the said surface station and 27 yards or thereabouts measured in a north-easterly direction from the south-western corner thereof;

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Work No. 5 A booking hall situate wholly in the metropolitan borough of St. Pancras under the premises of the London and North Eastern Railway Company and of the London Company at King's Cross for and in connection with Subway No. 6 with entrances from and exits to such booking hall to and from the surface of Euston Road and the platforms of the King's Cross Station of the said London and North Eastern Railway Company;

Subway No. 7 A subway situate wholly in the metropolitan borough of St. Pancras commencing in the premises known as No. 78 Warren Street and terminating under the roadway of Warren Street at a point 12 yards or thereabouts measured in a south-easterly direction from the south-eastern corner of the London Company's Warren Street Station and 33 yards measured in an easterly direction from the south-western corner of the last-mentioned premises;

Work No. 6 A booking hall situate wholly in the said metropolitan borough of St. Pancras under the roadways of Tottenham Court Road and Euston Road and the premises known as Nos. 283 and 285 Euston Road and under the premises known as Nos. 135A and 136 Tottenham Court Road and Nos. 78 and 79 Warren Street for and in connection with Subway No. 7 with entrances from and exits to such booking hall to and from the

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surface of Euston Road and Tottenham Court Road and the aforesaid premises known as 283 and 285 Euston Road;

Subway No. 8 A subway situate wholly in the metropolitan borough of St. Pancras commencing under the roadway of Kentish Town Road at a point 11 yards or thereabouts measured in a north-easterly direction from the south-east corner of the premises known as Nos. 317 and 319 Kentish Town Road and 28 yards or thereabouts measured in a north-westerly direction from the south-west corner of the premises known as No. 256 Kentish Town Road and terminating in the booking hall of the London Company's Kentish Town Station at a point 17 yards or thereabouts measured in a north-easterly direction from the south-west corner of the said booking hall and 24 yards or thereabouts measured in a south-easterly direction from the north-western corner thereof;

Subway No. 9 A subway situate wholly in the metropolitan borough of St. Marylebone commencing in the booking hall of the London Company's Edgware Road Station premises at a point 7 yards or thereabouts measured in an easterly direction from the south corner of the said premises in Edgware Road and terminating under the frontage line of the premises known as No. 30 Bell Street at a point 23 yards or thereabouts measured along such frontage line from the centre of Corlett Street;

Subway No. 10 A subway situate wholly in the metropolitan borough of St. Marylebone commencing under the north-east wall of the London Company's Edgware Road Station premises at a point 5 yards or thereabouts measured along that wall from the southern frontage line of Bell Street and terminating by a junction with subway No. 9 at a point under the premises in Bell Street on the west side of the entrance to St. Barnabas

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Church at a point 36 yards or thereabouts measured in an easterly direction from the east corner of the public house known as the "Green Man" and 25 yards or thereabouts measured in a south-easterly direction from the south-east corner of the premises known as Nos. 26 and 27 Bell Street;

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Work No. 7 A booking hall situate partly in the metropolitan borough of St. Marylebone and partly in the metropolitan borough of Paddington in and under Edgware Road Harrow Road the premises known as Nos. 251 298 and 300 Edgware Road and the London Company's surface station premises at Edgware Road for and in connection with Subways Nos. 9 and 10 with entrances from and exits to such booking hall to and from the surface of Edgware Road and Harrow Road and the said premises known as Nos. 251 298 and 300 Edgware Road;

Subway No. 11 A subway situate partly in the metropolitan borough of Holborn and partly in the metropolitan borough of St. Pancras commencing in the said metropolitan borough of Holborn at a point under Bernard Street 51 yards or thereabouts measured in a south-westerly direction from the south-west corner of the premises No. 49 Bernard Street and 55 yards or thereabouts measured in a westerly direction from the west corner of the premises No. 3 Bernard Street and terminating in the metropolitan borough of St. Pancras beneath the London Company's Russell Square Station premises at a point 26 yards or thereabouts measured in an easterly direction from the said western corner of No. 3 Bernard Street and 7 yards or thereabouts measured in a south-easterly direction from the western corner of the said London Company's Russell Square Station;

Work No. 8 A booking hall situate wholly in the metropolitan borough of Holborn in

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and under the roadways of Woburn Place Russell Square and Bernard Street and the areas of the Morton Hotel and the Hotel Russell for and in connection with Subway No. 11 with entrances from and exits to such booking hall to and from the surface of Woburn Place Russell Square Bernard Street and the areas aforesaid.

Incorporating certain provisions of existing Acts.

7. The provisions contained in the sections of the Acts which are mentioned in the First Schedule to this Act in so far as they relate to the London Company's undertaking are (subject to any amendment or variation by this Act) incorporated with and form part of this Part of this Act and shall so far as applicable and not inconsistent with the provisions of this Act extend and apply to the railways subways and works by this Part of this Act authorised to the roads under and along which the same are to be made to the lands subsoil easements and rights by this Part of this Act authorised to be acquired by the London Company and to 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 had been expressly re-enacted in this Part of this Act with reference thereto respectively :

Provided that for the purpose of such incorporation the expression "the company" where used in those sections shall where the context so requires mean and include the London Company and that wherever in those sections district boards of works or vestries are mentioned or referred to the same shall be read and construed as if the council of a borough or city or metropolitan borough or urban district had been mentioned or referred to therein instead of board of works or vestry and as if the subways and works by this Part of this Act authorised had been mentioned or referred to therein in addition to "the railway" or "the railways" and that in construing for the purposes of this Part of this Act section 67 (General provisions for protection of water gas hydraulic power and telephonic companies or undertakers under any Electric Lighting Order) of the London Act of 1902 the expression "the protected companies" shall include the London Power Company Limited the North Metropolitan Electric Power Supply

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Company the Tottenham and District Gas Company and the Southgate and District Gas Company as fully as if those companies were protected companies in such section named Provided that in its application to the North Metropolitan Electric Power Supply Company subsection (1) of the said section 67 of the London Act of 1902 shall be read and have effect as if the words "in under or over any street or lands in under or over which" were substituted for the words "in or under any street in or under which."

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8. The following provisions shall apply to the construction of the railways by this Part of this Act authorised where the said railways are shown on the deposited plans and sections as to be constructed in tunnel:—

General provisions as to mode of construction.

- (1) Railways Nos. 1 2 and 3 shall respectively be constructed in two tunnels for separate up and down traffic except at cross-overs where they may be constructed in single tunnels of enlarged diameter and Railways Nos. 4 and 5 shall respectively be constructed in single tunnels:
- (2) The railways shall be approached either by means of stairs inclines subways electric or other lifts or escalators:
- (3) (a) The tunnels of which the railways will consist (including those for the stations) shall be constructed by means of steel or other sufficient metal shields driven forward by hydraulic or other pressure as the work proceeds such shields being of sufficient length to protect the whole of the soil for a reasonable distance both in front of and behind the working faces but this provision shall not apply to the tunnels at junctions All such tunnels shall be lined throughout with iron or other sufficient metal plates properly jointed throughout or with other suitable material;
- (b) Every permanent shaft shall be constructed either by underpinning or by sinking and either of brick concrete iron or other equally substantial and durable material;

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(c) The station tunnels of the railways shall not have an internal diameter exceeding thirty feet the cross-over and junction tunnels shall not have an internal diameter exceeding forty feet and the tunnels between the stations shall not (except at cross-overs and junctions or where necessary for adjustment at curves) have an internal diameter exceeding fourteen feet and the internal diameter of the shafts shall not exceed forty feet;

(d) Any space between the lining of the tunnels (including station cross-over and junction tunnels) and the surrounding soil shall be properly filled up with lime or cement grouting placed therein under pressure :

(4) If water is found to be present in the works on the railways in such quantity as to necessitate the employment of compressed air the London Company shall immediately stop all excavating work at the point where the same is so found and the further driving of the tunnels at the working-faces at that point until the London Company shall have provided air-compressing machinery which will produce such a pressure of air as will prevent the inflow of any sand water gravel or soil and such machinery shall be maintained in full working order and the work at such working-face carried on under compressed air as long as may be necessary :

(5) Except in the case of unforeseen accident or for the purpose of removing rain water or other trifling amounts of water no use shall be made of pumping or of other like modes of removing water from the tunnels of which the railways will consist or from the shafts.

Power to
deviate
laterally.

9. In the execution of the railways subways and works by this Part of this Act authorised the London Company may subject to the provisions of this Part of this Act deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon.

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10. In the execution of the railways subways and works by this Part of this Act authorised the London Company may subject to the provisions of this Part of this Act deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient.

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Power to deviate vertically.

11.—(1) Subject to the provisions of this Act the London Company may for the purpose of constructing the railways subways and works by this Part of this Act authorised and the works and conveniences connected therewith respectively—

Breaking up surface of streets and permanent openings therein.

(a) enter upon open break up and interfere with so much of the surface of the following streets roadways footways and places as is within the limits of deviation shown on the deposited plans in respect of the said railways subways and works (that is to say):—

Partly in the borough of Hornsey and partly in the metropolitan borough of Stoke Newington—

Seven Sisters Road;

In the metropolitan borough of Stoke Newington—

Green Lanes Woodberry Down;

In the urban district of Tottenham—

Turnpike Lane Green Lanes;

Partly in the city and metropolitan borough of Westminster and partly in the metropolitan boroughs of Kensington and Chelsea—

Brompton Road;

In the metropolitan borough of Kensington—

Hans Crescent;

In the metropolitan borough of Chelsea—

Knightsbridge and Sloane Street;

In the city and metropolitan borough of Westminster—

Knightsbridge Hyde Park Corner
Piccadilly;

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In the metropolitan borough of Paddington—

Harrow Road Edgware Road;

In the metropolitan borough of St. Marylebone—

Edgware Road;

In the metropolitan borough of St. Pancras—

Woburn Place Russell Square Bernard Street Tottenham Court Road Euston Road; and

(b) may make and maintain permanent openings in the roadways and footways of so much of the above mentioned Seven Sisters Road Green Lanes Woodberry Down Turnpike Lane Knightsbridge at or adjacent to Hyde Park Corner in the city of Westminster and Harrow Road at or adjacent to Edgware Road as is within the said limits of deviation

without being required to purchase any part of the surface or undersurface of such streets roadways and footways or any easement in or through the same or to make any payment therefor.

(2) Before breaking up or interfering with any portion of the surface of the said streets roadways and footways under the powers of this section the London Company shall give to the Minister of Transport not less than one month's previous notice in writing of its intention so to do and shall also give not less than seven days' notice in writing to the Commissioner of Police of the Metropolis and make such arrangements with such commissioner as may be necessary so as to cause as little interference with traffic as may be reasonably possible.

(3) Save as aforesaid (and except for the purpose of making trial borings or altering or diverting sewers pipes cables wires and other works) nothing in this Act contained shall empower the London Company to break up or interfere with the surface of any street for the purpose of constructing maintaining or using the railways where the same are to be constructed in tunnel or subways and underground works by this Part of this Act authorised Provided always that the London Company shall not

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alter divert or otherwise interfere with the pipes cables wires or other works of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

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12. Subject to the provisions of this Act the London Company may within the limits of deviation shown on the deposited plans stop up and discontinue the under-mentioned roads in and execute the under-mentioned works in the urban district of Southgate in the county of Middlesex (that is to say):—

Power to stop up certain roads and to make new roads.

- (a) stop up and discontinue so much of the road known as Maidstone Road as lies between points 7 chains or thereabouts and 9·8 chains or thereabouts measured along the centre of that road from Bounds Green Brook and so much of the road known as Shrewsbury Road as lies between points 3·5 chains or thereabouts and 5 chains or thereabouts measured along the centre of that road from the said Bounds Green Brook and in lieu thereof make a new road from a point in the said Maidstone Road 10·2 chains or thereabouts measured along the centre thereof from the said Bounds Green Brook to a point in the road known as Evesham Road 3 chains or thereabouts measured along the centre thereof from the said Bounds Green Brook;
- (b) stop up and discontinue so much of the lane known as Crown Lane as lies between its junction with High Street and a point 2·8 chains or thereabouts measured along the centre of Crown Lane from its said junction with High Street and in lieu thereof make a new road from the point last described to a point in High Street 2 chains or thereabouts measured along High Street in a southerly direction from the point of junction of Crown Lane with High Street;
- (c) stop up and discontinue so much of the road known as Park Road as lies between points 2 chains or thereabouts and 4 chains or thereabouts measured along the centre of that road from its junction with Winchmore Hill Road

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and in lieu thereof make a new road from the northern end of Park Road to a point in Hillside Grove measured 3·5 chains or thereabouts along the centre line of Hillside Grove from the junction of Hillside Grove with Chase Road.

Stopping up
roads in case
of diversion.

13. Where this Act authorises the stopping up of an existing public road or any portion thereof and the making of a new road in substitution therefor such stopping up shall not take place until the new road is completed to the satisfaction of the road authority of the district in which the existing road is situate and is open for public use or in case of difference between the London Company and such road authority until two justices shall have certified that the new road has been completed to their satisfaction and is open for public use.

Before applying to the justices for their certificate the London Company shall give to the road authority of the district in which the existing road is situate seven days' notice in writing of their intention to apply for the same.

As from the completion of the new road to the satisfaction of such road authority or as from the date of the said certificate as the case may be all rights of way over or along the existing road or portion authorised to be stopped up shall be extinguished and the London Company may subject to the provisions of the Railways Clauses Consolidation Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the site of the portion of road stopped up as far as the same is bounded on both sides by lands of the London Company :

Provided that the London Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section 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.

Additional
lands.

14. Subject to the provisions of this Act and in addition to the other lands which the London Company is authorised to acquire the London Company may

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enter upon take use and appropriate and may hold and use for the general purposes of its undertaking all or any part of the lands houses buildings and other property hereinafter described and delineated on that portion of the deposited plans and described in that part of the deposited book of reference relating to additional lands in the metropolitan borough of Islington in the county of London (that is to say):—

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Certain lands and premises situate wholly in the metropolitan borough of Islington in the county of London bounded on the north-west by the London and North Eastern Railway Company's yard and the London Company's Holloway Road Station premises on the north-east by Holloway Road on the south-east by the public house known as the "Holloway Road Station Hotel" and the premises numbered 2 4 6 8 10 12 and 14 Hornsey Street and on the south-west by the premises No. 16 Hornsey Street together with the entrance passageway thereto from Holloway Road and the entrance roadway thereto from Hornsey Street.

15. The London Company may make the arches of the bridges for carrying the railways over the roads next hereinafter mentioned of any heights and spans not less than the heights and spans hereinafter mentioned in connection therewith respectively (that is to say):—

Height and span of bridges.

No. on deposited plan.	Urban district.	Description of road.	Height.	Span.
26	RAILWAY No. 2.		ft. ins. 16 6	Three (Centre 50 ft. sides each 25 ft.)
	Urban district of South-gate.	Public Road Arterial Road (North Circular Road)		
38	RAILWAY No. 3.		16 6	60 ft.
	Urban district of South-gate and urban district of East Barnet Valley.	Public Road Waterfall Road		

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Width of
roadways
over bridges.

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

No. on deposited plan.	Urban district.	Description of road.	Width of roadway.
RAILWAY No. 2.			
33	Urban district of Southgate	Public Road Bowes Road.	70 ft.
RAILWAY No. 3.			
111	Urban district of Southgate	Public Road East Barnet Road.	60 ft.

As to build-
ings upon
lands of
London
Company.

17. Section 13 (As to buildings upon lands of Company) of the Great Northern Piccadilly and Brompton Railway (Various Powers) Act 1903 and section 25 (As to means of access to station buildings) of the Great Northern Piccadilly and Brompton Railway Act 1908 shall apply to any lands which may be acquired by the London Company under the provisions of this Act and to any buildings now or hereafter erected on or over or adjoining to any of such lands and to any means of access to any such buildings.

Period for
completion
of works.

18. If any of the railways subways and works by this Part of this Act authorised are not completed within the period expiring on the thirty-first day of October one thousand nine hundred and thirty-five then on the expiration of that period the powers by this Part of this Act granted to the London Company for making and completing the railway subway or work which is not so completed or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Imposing
penalty un-
less railway
opened.

19. If the London Company commences the construction of any of the railways and fails within the period limited by this Act to complete such railway the London Company shall be liable to a penalty of fifty pounds a day

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for every day after the expiration of the period so limited until such railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of such railway.

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The said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854.

Every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided.

But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Minister of Transport that the London Company was prevented from completing or opening such railway by unforeseen accident or circumstances beyond its control. Provided that the want of sufficient funds shall not be held to be a circumstance beyond its control.

20. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway or any portion thereof in respect of which such property has been interfered with or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the London Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit.

Application
of penalty.

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— If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the London Company is insolvent or the railway in respect of which the penalty has been incurred or any part thereof has been abandoned be paid or transferred to such receiver or be applied in the discretion of the court as part of the assets of the London Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the London Company.

Fares rates
and charges.

21. The London Company may demand and take for the conveyance on the railways of passengers small parcels passengers' luggage and dogs fares rates and charges not exceeding those it is authorised to demand and take on its existing railways Provided always that where passengers small parcels passengers' luggage or dogs are conveyed partly on the existing railways of the London Company and partly on the railways by this Act authorised the whole of such railways shall for the purpose of short distance fares rates and charges be considered one railway.

Railways
&c. to form
part of
undertaking.

22. The railways subways and works by this Part of this Act authorised shall for all purposes whatsoever form part of the undertaking of the London Company.

For pro-
tection of
Finsbury
Park.

23.—(1) The London Company shall not without the consent of the London County Council (in this section hereinafter referred to as "the council") enter upon take use or interfere with the surface of any lands or any buildings or other property of the council in Finsbury Park but the London Company may acquire and the council shall sell and grant to the London Company an easement or right of using so much of the subsoil of the said lands as the London Company may require for the construction working and maintenance therein of the railways subways and works by this Part of this Act authorised.

(2) The council shall have power to sell and convey to the London Company for the purposes of this Part of

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this Act any lands forming part of Finsbury Park and to grant to the London Company any rights in under or over the said park and to receive the purchase money or compensation to be paid by the London Company to the council for such lands and rights and to give the London Company a good and valid discharge therefor.

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(3) The provisions of the Lands Clauses Acts as varied by this Act shall in default of agreement apply to the acquisition of any easements acquired by the London Company from the council as if the same were lands within the meaning of those Acts.

24. The following provisions for the protection and benefit of each of the following authorities (namely) the mayor aldermen and councillors of the metropolitan borough of Stoke Newington the mayor aldermen and burgesses of the borough of Hornsey and the councils of the urban districts of Enfield Southgate Tottenham and Wood Green respectively (each of which is in the section referred to as "the council") shall unless otherwise agreed in writing between the London Company and the respective council have effect (that is to say) :—

For protection of Stoke Newington Council Hornsey Corporation and urban district councils of Enfield Southgate Tottenham and Wood Green.

(1) (a) In this section—

the expression "the district" means the metropolitan borough the borough or urban district as the case may be within the jurisdiction of the council;

the expression "street" means any public highway and public bridge (not being a railway or county bridge);

the expression "the works" means the railways subways and other works which the London Company are by this Part of this Act authorised to make in the district;

the expression "consent" means consent in writing and the expression "approval" means approval in writing;

(b) Wherever in this section provision is made with respect to consent or approval of the council such consent or approval may be given subject to such reasonable terms and conditions as

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the council may require but shall not be unreasonably withheld :

- (2) The London Company in the execution of the works shall not alter or in any way interfere with any street refuge public convenience sewer drain pipe column sign or other property vested in the council (in this section collectively referred to as "council property") except with the consent of the council :
- (3) The London Company shall make full compensation to the council for any subsidence of or damage to any council property which may be caused by or in consequence of the act or default of the London Company its contractors servants or agents and whether such subsidence or damage shall happen during the execution of the works or at any time thereafter :
- (4) The London Company shall give the council not less than fourteen days' previous notice in writing of its intention to enter upon or open up the surface of any street in the district and shall not under the powers of this Act enter upon or open up any part of the surface of any such street or cart away any soil in the district except upon such conditions as the council may reasonably impose and under the control and supervision of the engineer or surveyor of the council :
- (5) When once commenced the construction of the works shall so far as the construction may seriously affect the traffic in any street in the district and except for causes beyond the reasonable control of the London Company be proceeded with with all reasonable expedition :
- (6) Where any part of any street in the district shall have been broken up disturbed or injuriously affected by the London Company the London Company shall make good the subsoil foundations and surface of such street to the reasonable satisfaction of the council Provided that the reinstatement of such street shall unless otherwise agreed in the first instance be of a temporary

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nature only and the permanent reinstatement of any such street shall be carried out by the council at the cost of the London Company and the London Company shall repay to the council all expenses incurred by the council in such reinstatement :

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- (7) The works shall be constructed and maintained by the London 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 district but also any steam roller or other apparatus which the council or their contractors for the time being may reasonably use for repairing the streets under the control of the council and the London Company shall indemnify the council against and make good to the council all costs and expenses that the council may reasonably incur or be put to by reason of any defect or insufficiency in strength of the works or any neglect properly and effectually to maintain the same as aforesaid :
- (8) The London Company in the execution of the works authorised by this Part of this Act shall not place any hoarding in any part of any street in the district except with the consent of the council and for such periods as shall be reasonably necessary for carrying out the works The London Company shall not affix or exhibit or permit to be affixed or exhibited to or on any such hoarding any placards or advertisements except placards or advertisements giving information to the public as to the traffic of the London Company and of the companies associated with it or general information in connection therewith and with the undertakings of such companies :
- (9) The council shall afford the London Company all reasonable facilities for the execution of the works by this Part of this Act authorised but the London Company shall not deposit any subsoil materials or plant in any street in the district except with the consent of the council :

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- (10) The engineer or surveyor of the council may from time to time during the construction of the works enter upon and inspect the same at all reasonable hours on giving reasonable previous notice :
- (11) At least fourteen clear days before commencing any vertical borings from the surface of any part of any street in the district the London Company shall serve notice in writing of its intention to commence the same on the engineer or surveyor of the council and such notice shall describe the place or places at which such borings are intended to be made and if within fourteen days after the service of such notice any objection is made by the engineer or surveyor of the council the matter shall unless otherwise agreed between them be determined by arbitration as hereinafter in this section provided before the boring is commenced but if no such objection is made the said borings may be proceeded with :
- (12) The London Company shall furnish to the council full and detailed information as to the strata traversed in any boring for the purposes of the works :
- (13) The London Company shall not discharge any water from any of the works into any sewer or drain vested in or under the control of the council except with the consent of the council in writing and subject to such terms and conditions (including the taking of steps to remove so far as may be reasonably practicable from water so discharged any gravel soil or other solid substance or matter in suspension) as the council may reasonably impose Provided that in determining whether consent has been unreasonably withheld under this section regard shall be had
(a) in the case of the Hornsey Corporation to the provisions of section 20 of the London County Council (General Powers) Act 1906
(b) in the case of the Southgate Urban District Council to the provisions of section 25 of the Southgate Urban District Council Act 1913

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(c) in the respective cases of the Tottenham Urban District Council and the Wood Green Urban District Council to the provisions of the Tottenham and Wood Green Sewerage Act 1891 and to the provisions of section 56 of the Wood Green Urban District Council Act 1920 : A.D. 1930.

- (14) The London Company shall carefully preserve and remove all objects of geological or antiquarian interest discovered by them in the execution of the works within any district in the county of Middlesex to which this section applies and subject to the rights of the Crown and except so far as the same may be proved to be the property of any other person any such objects shall be subject to the disposal of the council of such district in such manner as such council may from time to time resolve and the London Company shall use all reasonable means for securing compliance with the provisions of this section :
- (15) Plans of the entrances and exits to and from any stations in the district shall be submitted to the council for their approval. If the council shall not within twenty-one days from the submission to them of any such plans express to the London Company in writing their approval or disapproval thereof they shall be deemed to have approved thereof :
- (16) Any difference which shall arise between the council and the London Company under any of the foregoing provisions of this section shall be referred to an engineer to be agreed on between the council and the London Company or failing agreement to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference :
- (17) The London Company shall not afford a supply of electricity for use in any buildings or other premises within the district not being (a) premises occupied by the London Company or any of the companies associated with it or

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(b) a shop stall showcase or other structure (by whomsoever occupied) situate within or forming part of any station premises of the London Company Save as aforesaid nothing in this subsection contained shall prejudice or derogate from any powers with regard to the supply of electricity which are conferred on the London Company by or exercisable by the London Company under any other Act.

For further
protection
of Southgate
Urban
District
Council.

25. The following provisions for the further protection and benefit of the Southgate Urban District Council (in this section called "the council") shall except so far as may be otherwise agreed in writing between the London Company and the council have effect (that is to say) :—

- (1) (i) In the construction of Railways Nos. 2 and 3 by this Act authorised (in this section called "the said railways") the London Company shall cause the least practicable interference with and disturbance to Arnos Park and Oakwood Park and if the London Company purchase any part of Oakwood Park and if they shall acquire any land adjoining that park and suitable for addition thereto the London Company shall convey to the council and fence and lay out so as to form part of Oakwood Park so much of such land as is so far as reasonably practicable of a similar size or value to the part of Oakwood Park so purchased and shall provide a proper road of a width of twenty-two feet to give access from Chase Road to Oakwood Park and such road when provided shall thereafter be maintained by the council at their own expense;
- (ii) In determining the amount of compensation payable by the company to the council in respect of the acquisition of any part of either of the said parks or the construction of the said railways therein the value of any land conveyed by the Company to the council and laid out pursuant to this subsection shall be taken into account;
- (2) Any viaducts constructed by the London Company in Arnos Park in the urban district of

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Southgate (in this section referred to as "the district") shall be in accordance with such design and elevations and shall be faced with such materials as may be reasonably agreed between the London Company and the council or as failing agreement may be determined by arbitration as hereinafter in this section provided:

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(3) The London Company shall not stop up or otherwise interfere with any part of Maidstone Road until—

(a) they shall have constructed the new road in lieu thereof referred to in paragraph (a) of the section of this Act whereof the marginal note is "Power to stop up certain roads and to make new roads";

(b) they shall have constructed a footbridge to the reasonable satisfaction of the council from one end to the other of that part of Maidstone Road which is intended to be so stopped up:

(4) The London Company shall not stop up any part of Park Road until—

(a) they shall have constructed the new road in lieu thereof referred to in paragraph (c) of the section of this Act whereof the marginal note is "Power to stop up certain roads and to make new roads";

(b) they shall have constructed a footbridge to the reasonable satisfaction of the council from one end to the other of that part of Park Road which is intended to be so stopped up:

(5) The London Company shall not stop up any part of Shrewsbury Road or Crown Lane until they shall have constructed the new respective roads in lieu thereof referred to in paragraphs (a) and (b) respectively of the section of this Act whereof the marginal note is "Power to stop up certain roads and to make new roads":

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- (6) The new roads referred to in the section of this Act whereof the marginal note is "Power to stop up certain roads and to make new roads" shall be constructed and made up by the London Company in accordance with the specifications required by the council under the Private Street Works Act 1892 being the standard for public highways of the class of which such new roads may form a part :
- (7) The London Company shall not affix or exhibit or permit to be affixed or exhibited any placards or advertisements to or on any bridge or viaduct or other building erection or work constructed or erected in the district under the powers of this Act so as to be visible from any park or recreation ground :
- (8) The London Company shall not (without the consent of the council which shall not be unreasonably withheld) affix or exhibit or permit to be affixed or exhibited to or on the abutments of any bridge or face of any viaduct constructed or erected in the district under the powers of this Act so as to be visible from any street any placards or advertisements except placards or advertisements giving information to the public as to the traffic of the London Company and of the companies associated with it or general information in connection therewith and with the undertakings of such companies :
- (9) The London Company shall plant and keep shrubs upon any embankments constructed by them in or facing Arnos Park or Oakwood Park :
- (10) Any difference which shall arise between the council and the London Company under any of the provisions of this section shall be referred to an engineer to be agreed on between the council and the London Company or failing agreement 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.

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26. The following provisions for the protection and benefit of the Tottenham and Wood Green Joint Drainage Committee (in this section called "the committee") shall unless otherwise agreed in writing between the London Company and the committee have effect (that is to say):—

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—
For protec-
tion of
Tottenham
and Wood
Green Joint
Drainage
Committee.

- (1) The London Company in the construction of the railways subways and other works authorised by this Part of this Act (in this section collectively referred to as "the works") shall not alter or in any way interfere with any sewer drain pipe or other property vested in the committee except with the consent of the committee which shall not be unreasonably withheld and shall make full compensation to the committee for any damage to any such sewer drain pipe or other property which may be caused by or in consequence of the act or default of the London Company its contractors servants or agents and whether such damage shall happen during the execution of the works or at any time thereafter :
- (2) The London Company shall not discharge any water from any of the works into any sewer or drain vested in or under the control of the committee except with the consent in writing of the committee which shall not be unreasonably withheld and subject to such terms and conditions (including the taking of steps to remove so far as may be reasonably practicable from water so discharged any gravel soil or other solid substance or matter in suspension) as the committee may reasonably impose :
- (3) In determining whether the consent of the committee under this section has been unreasonably withheld regard shall be had to the provisions of the Tottenham and Wood Green Sewerage Act 1891 :
- (4) Any difference which may arise from time to time under the provisions of this section between the committee and the London Company shall be referred to and determined by an engineer

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to be agreed on between the committee and the London Company or failing agreement 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 protec-
tion of
London and
North East-
ern Rail-
way Com-
pany with
respect to
Railways
Nos. 1 and 2.

27. With respect to the construction and maintenance of Railways Nos. 1 and 2 by this Act authorised the following provisions for the protection of the London and North Eastern Railway Company (in this section referred to as "the North Eastern Company") shall unless otherwise agreed in writing between the North Eastern Company and the London Company apply and have effect:—

(1) The London Company shall not without in every case the previous consent of the North Eastern Company in writing enter upon take use or interfere with any land railway station siding or other work of the North Eastern Company except only so far as shall be necessary for the purpose of making and maintaining the Railways Nos. 1 and 2 by this Act authorised and the works connected therewith as the same are according to this Act to be constructed :

(2) With respect to any land belonging to the North Eastern Company which the London Company are by this Act authorised to take enter upon or interfere with for the purposes of Railways Nos. 1 and 2 and the works connected therewith the London Company shall not purchase or take the same but the London Company may purchase and take and the North Eastern Company may and shall sell and grant accordingly so far as their interest in the said lands extends an easement or right of using the same for the purposes for which but for this enactment the London Company might purchase and take the same :

Provided that as regards any lands included within the limits of deviation shown on the deposited plans which are demised to the London Company under a lease dated

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the sixteenth day of August one thousand nine hundred and eleven from the Great Northern Railway Company to the London Company the London Company shall not acquire an easement in any such lands but the North Eastern Company may and shall grant to the London Company the right to alter the existing railways of the London Company in such lands and on the completion of such alteration the railways as so altered shall be deemed to be part of the "station section of deviation railway" referred to in the said lease and the provisions of the said lease except as varied by this Act shall apply to the said railways as so altered in the same manner as they apply to the "station section of deviation railway" therein referred to :

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- (3) The consideration to be paid for the easement to be acquired by the London Company under the preceding subsection shall in case of dispute be settled in manner provided by the Lands Clauses Acts as varied by this Act with respect to the purchase of lands otherwise than by agreement :
- (4) Where the said Railways Nos. 1 and 2 and the works connected therewith will be constructed in or under or within one hundred feet of or will otherwise interfere with any land railway station siding or other work of the North Eastern Company the said railways and works shall be constructed at such points within the limits of deviation shown on the deposited plans and in such manner and according to such mode of construction as shall be reasonably approved by the engineer of the southern area of the North Eastern Company (in this section referred to as "the engineer") before the commencement of the work and according to plans sections and specifications and of a quality and strength of material to be previously submitted to and approved by the engineer or in case of difference between him and the

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engineer of the London Company by an arbitrator to be appointed as hereinafter provided. The said railways and works shall be constructed and for ever thereafter maintained at the expense of the London Company according to the plans sections and specifications so approved under the supervision of the engineer and to his reasonable satisfaction :

- (5) Notwithstanding anything contained in this Act or shown on the deposited plans and sections the London Company shall construct Railway No. 2 where it passes under the railway of the North Eastern Company at Bounds Green Road in such manner and at such level as shall not interfere with or prejudice the construction at that point of Railways Nos. 1 and 2 authorised by the Great Northern Railway Act 1914 and should any additional expense be reasonably incurred by the North Eastern Company in carrying out the said railways consequent on the construction of Railway No. 2 such expenditure shall be paid to the North Eastern Company by the London Company on demand :
- (6) The London Company shall give to the North Eastern Company twenty-eight days' previous notice in writing before commencing the construction of the said Railways Nos. 1 and 2 and the works connected therewith or (except in case of emergency) any structural alteration renewal or repair to any such works where the same will be made in or under or within one hundred feet of any land railway station siding or other work of the North Eastern Company. In case of emergency the London Company shall give to the North Eastern Company the longest notice which they can reasonably give having regard to the urgency of the repairs :
- (7) In the execution of their works the London Company shall not obstruct or interfere with the free uninterrupted and safe user of any railway

station siding or other work of the North Eastern Company and shall not disturb the soil under or within one hundred and fifty feet of any land railway station siding or other work of the North Eastern Company except so far as shall be necessary for the execution of the works of the London Company :

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- (8) The engineer and his duly appointed assistants shall have access at all times to the said Railways Nos. 1 and 2 and works of the London Company connected therewith for the purpose of inspecting the same and the London Company shall bear and on demand pay to the North Eastern Company the expense (including compensation payable to any workmen or their legal representatives or dependants who may be injured or killed whilst employed by the North Eastern Company in and about such works) of the employment by the North Eastern Company during the execution of any work on or under or within one hundred feet of or otherwise affecting any railway station siding or other work of the North Eastern Company of a sufficient number of engineers clerks of the works inspectors watchmen and signalmen to be appointed by the North Eastern Company for supervising the works of the London Company and for watching and signalling the works of the North Eastern Company with reference to and during the execution of any such works of the London Company And the London Company shall bear and on demand pay to the North Eastern Company all other expenses reasonably incurred by the North Eastern Company in supervising the works of the London Company and approving the plans sections and specifications thereof :
- (9) The London Company shall if and when required by the North Eastern Company underpin the stations railways and works of the North Eastern Company where the same are over or affected by the works of the London Company and execute such other works for the protection thereof as may be reasonably required by the

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engineer and such underpinning or other works when commenced shall if reasonably required by the North Eastern Company be continued without cessation until completed :

(10) If before or during the construction of any works of the London Company the engineer shall in his absolute discretion be of opinion that such works are or will be a source of danger to any railway station siding or other work of the North Eastern Company and shall give the engineer of the London Company notice in writing to that effect the London Company shall not proceed with the construction of any such works until the engineer shall have approved plans sections and specifications of such alterations in or additions to such works as the engineer or in case of difference between him and the engineer of the London Company an arbitrator to be appointed as hereinafter provided may deem necessary for the protection of any such railway station siding or other work of the North Eastern Company :

(11) If by reason of the execution of any of the works or any proceedings of the London Company or the failure of any such works or any act or omission of the London Company or of their contractors or of any person in the employ of the London Company or of their contractors or otherwise any railway station siding or other work of the North Eastern Company shall be injured or damaged such injury or damage shall be forthwith made good by the London Company at their own expense or in the event of their failing so to do then the North Eastern Company may make good the same and the expenses thereof (including such compensation to workmen or their legal representatives or dependants as aforesaid) as certified by the engineer shall be repaid to the North Eastern Company by the London Company on demand And the London Company shall be responsible for and make good to the North Eastern Company and any other companies using their railway all costs

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losses damages or expenses which may be occasioned to them by the execution of any of the works or any proceedings of the London Company or the failure of any such works or any act or omission of the London Company or their contractors or any person in the employ of the London Company or their contractors and the approval by the engineer of plans sections and specifications shall not nor shall any requisition made by him relieve the London Company from any liability :

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(12) The London Company shall at all times maintain Railways Nos. 1 and 2 by this Act authorised and all works in connection therewith where the same will be constructed in or under or within one hundred feet of or will otherwise affect any land railway station siding or other work of the North Eastern Company in substantial repair and good order and condition and if and whenever the London Company fail so to do the North Eastern Company may make and do in and upon as well the lands of the London Company as their own lands all such works and things as the North Eastern Company may reasonably think requisite in that behalf and the sum from time to time certified by the engineer to be the reasonable amount of such expenditure (including such compensation to workmen or their legal representatives or dependants as aforesaid) or in case of difference determined by an arbitrator to be appointed as hereinafter provided shall be repaid to the North Eastern Company by the London Company :

(13) If at any time hereafter the North Eastern Company shall be desirous of widening or extending their railway or stations or works the London Company shall give the North Eastern Company all proper and reasonable facilities for that purpose and the London Company shall pay to the North Eastern Company any additional costs which the North Eastern Company may reasonably incur in the said widening or extension in consequence of the construction of

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the works by this Act authorised in or under the property of the North Eastern Company and the London Company shall make at their own expense such consequential adaptations in their stations railways and works as the engineer or in case of difference between him and the engineer of the London Company an engineer appointed in manner hereinafter provided may deem necessary in consequence of such widening or extension of the railway or stations or works of the North Eastern Company :

(14) The London Company and the North Eastern Company may agree upon any variation of or alteration in the works in this section provided for or in the manner in which the same shall be executed :

(15) Any matter which under this section is to be referred to an engineer or settled by arbitration and any dispute or difference which may at any time arise between the London Company and the North Eastern Company as to anything to be done under this section or otherwise in respect thereof (except any dispute or difference to which the Lands Clauses Acts apply) shall be referred to an engineer to be appointed by the London Company and the North Eastern Company and if they are unable to agree by the President of the Institution of Civil Engineers on the application of either party.

For protection of London and North Eastern Railway Company with respect to Subway No. 6 and Work No. 5.

28. Notwithstanding anything contained in this Act or shown upon the deposited plans and sections Subway No. 6 by this Act authorised shall not be carried out so as to impede the user or reconstruction of the King's Cross Station of the London and North Eastern Railway Company and the London Company shall not construct any part of Work No. 5 by this Act authorised without the previous consent of the London and North Eastern Railway Company in writing.

For protection of London Midland and Scottish and

29. For the protection of the London Midland and Scottish Railway Company and the London and North Eastern Railway Company (who are together referred to in this section as "the railway company") the following

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provisions shall unless otherwise agreed to in writing between the railway company and the London Company be observed and have effect:—

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—
London and
North East-
ern Railway
Companies.

(1) Notwithstanding anything in this Act contained or shown on the deposited plans and sections the London Company shall not without the previous consent in writing of the railway company take use enter upon or in any way alter or interfere with either temporarily or permanently any lands or property belonging to the railway company but the London Company may purchase and take and the railway company shall sell and grant accordingly an easement or right of using so much of the lands of the railway company as may be necessary for the construction of Railway No. 1 and all works connected therewith (in this section referred to as "Railway No. 1") in accordance with the provisions of this section. The amount to be paid for the acquisition of such easement shall be ascertained in case of difference in the manner provided by the Lands Clauses Consolidation Act 1845 (as amended by this Act) with respect to the purchase of lands otherwise than by agreement and the easement or right so to be taken shall be deemed to be land so far as respects the proceedings for the acquisition thereof and also for the purposes of any arbitration:

(2) The London Company shall not without the consent of the engineer of the railway company (in this section referred to as "the engineer") which consent shall not be unreasonably withheld in constructing Railway No. 1 under the lands of the railway company deviate laterally or vertically from the levels as shown on the deposited sections:

(3) The London Company shall before they commence the construction of so much of Railway No. 1 as shall or may pass under or in any way affect the property of the railway company submit to the engineer proper and sufficient

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plans sections detailed drawings and specifications of the works proposed to be carried out by the London Company for the reasonable approval of the engineer. Provided that if such engineer shall for the space of twenty-eight days neglect or refuse to approve the said plans sections drawings and specifications or shall disapprove the same then such plans sections drawings and specifications shall be submitted to and approved by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers on the application of either the London Company or the railway company and such portion of Railway No. 1 and all works necessary or incident to the construction thereof or affecting the property or works of the railway company shall be constructed only according to such plans sections drawings and specifications as shall be approved as aforesaid and under the supervision and to the reasonable satisfaction of the engineer and at the costs charges and expenses in all respects of the London Company :

- (4) Before the London Company commence the construction of Railway No. 1 any temporary works which may in the opinion of the engineer be reasonably necessary to ensure the stability of the railway and property of the railway company may and shall be carried out by the railway company for the London Company and any costs and expenses reasonably incurred by the railway company in connection therewith (including compensation payable to any workmen or their legal representatives or dependants who may be injured or killed whilst employed by the railway company in and about such works) shall be repaid by the London Company to the railway company on demand :
- (5) If it shall at any time appear to the engineer either before or during the construction or after the completion of Railway No. 1 that any

further or other works or appliances or measures of precaution are required either by way of addition to the existing works of the railway company or in connection with the works of Railway No. 1 or in relation to the method of construction of Railway No. 1 so as to prevent subsidence or injury happening to any of the railways and works or property of the railway company owing to or in consequence of the execution of any of such works the London Company shall on being thereunto required in writing under the hand of the engineer make and execute at their own expense and according to plans sections and specifications to be approved by him such works or take such measures of precaution including the use of compressed air or the temporary cessation of the construction of the said railway as the engineer shall require and the construction of Railway No. 1 when commenced shall proceed without cessation except as aforesaid and with all reasonable dispatch Any difference as to the necessity of any such further works or measures of precaution as aforesaid or as to the mode of execution thereof shall unless otherwise agreed be determined by an engineer to be appointed on the application of either party as hereinafter provided :

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- (6) The London Company shall before commencing the construction or the structural alteration renewal or repair of Railway No. 1 give (except in case of emergency) twenty-eight days' previous notice in writing to the engineer of their intention to commence such works and in case of emergency the London Company shall give the railway company the longest notice which they can reasonably give having regard to the urgency of the works to be executed and such notice shall be accompanied by a sufficient description of the works proposed to be carried out :
- (7) The London Company shall at their own expense construct and at all times maintain Railway

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No. 1 and all the works both temporary and permanent necessary and incident to the construction thereof so far as such railway and works affect the property and works of the railway company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer and so as to leave undisturbed at all times the lines of railway and other works connected therewith of the railway company and if and whenever the London Company fail so to do or in case of emergency the railway company may make and do in and upon as well the lands of the London Company as their own lands all such works and things as the engineer may reasonably think requisite and the reasonable amount of their expenditure in that behalf certified by the engineer shall be repaid by the London Company to them on demand. Provided always that in the event of any dispute between the London Company and the railway company as to the amount so certified such dispute shall be settled by arbitration by an engineer to be appointed on the application of either party as hereinafter provided :

- (8) Notwithstanding the approval of plans, sections and detailed drawings and specifications or supervision by or completion to the satisfaction of the engineer as aforesaid and notwithstanding the compliance by the London Company with the provisions of this section if during and by reason of the execution of any of the works hereinbefore referred to the said railways of the railway company or any of the works connected therewith respectively or any lands or property of that Company shall be injured or damaged such injury or damage shall be forthwith made good by the railway company who may recover the amount reasonably expended by them in so doing from the London Company on demand :
- (9) The London Company shall not in making and maintaining Railway No. 1 in any manner

obstruct hinder or interfere with the free uninterrupted and safe user of the railway and property of the railway company or any traffic thereon and if at any time or times hereafter the free uninterrupted and safe user of the railway of the railway company or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the London Company shall notwithstanding any approval as aforesaid pay to the railway company all reasonable costs and expenses to which that company may be put as well as full compensation for the loss sustained by them by reason of any such interruption or interference :

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- (10) Notwithstanding anything in this Act provided or contained the London Company shall be responsible for and make good to the railway company all costs charges losses damages and expenses which may be occasioned to the railway works lands or property of the railway company or to any person or persons using the same by reason of the construction alteration maintenance or failure of the Railway No. 1 or of any act or omission of the London Company or of any of the persons in their employ or of their contractors or others and the London Company shall effectually indemnify and hold harmless the railway company from all claims and demands upon or against them by reason of such construction alteration maintenance failure or omission. Provided always that the railway company shall give to the London Company immediate notice of any such claim or demand and that no settlement or compromise thereof shall be made except with the consent of the London Company who shall have the sole conduct of any settlement or compromise or of any proceedings necessary to resist the same :
- (11) During the construction of so much of Railway No. 1 and of any of the further works mentioned in this section under or in any way affecting the property and works of the railway company

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the London Company shall bear and on demand pay to the railway company the reasonable expense of the employment by the railway company of a reasonably sufficient number of inspectors and watchmen to be appointed by the railway company for inspecting so much of Railway No. 1 and further works as aforesaid and for watching their railway and the works and conveniences connected therewith and the said lands or property for preventing as far as may be all interference obstruction danger and accident arising from any of the operations of the London Company or from the acts or defaults of their contractors or of any person or persons in their employ or otherwise and the London Company shall at all times give ample facilities to the engineer and his assistants or inspectors for full and free access to so much of Railway No. 1 as shall or may pass under or affect the property or works of the railway company during or after its construction and shall also furnish him or them with every information he or they may reasonably require with regard to such portion of Railway No. 1 aforesaid or the method of construction thereof:

- (12) The London Company shall from time to time repay to the railway company any additional expense to which that company may reasonably be put in maintaining their railways and works by reason or in consequence of the construction of Railway No. 1 :
- (13) Except as in subsection (1) of this section otherwise provided if any difference shall arise between the London Company and the railway company or their respective engineers with reference to any matter or thing arising under this section such difference shall be referred to and be determined on the application of either party by an engineer to be appointed failing agreement by the President of the Institution of Civil Engineers in accordance with the provisions of the Arbitration Act 1889.

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30. For the protection of the Metropolitan Railway Company the following provisions shall unless otherwise agreed in writing between that company and the London Company apply and have effect (that is to say) :—

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—
For protec-
tion of
Metropoli-
tan Railway
Company.

(1) In this section—

“The authorised works” means and includes Subway No. 6 Work No. 5 Subway No. 7 and Work No. 6 by this Part of this Act authorised and the works and conveniences of whatsoever nature connected therewith or incidental thereto;

“The protected company” means the Metropolitan Railway Company;

“The protected railway” means and includes the railways works and other property of the protected company;

“The engineer” means the engineer for the time being of the protected company:

(2) Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the London Company shall not enter upon take use or interfere with either permanently or temporarily any lands works or property belonging to the protected company without the consent in writing of the protected company but the London Company may purchase and take and the protected company shall sell and grant accordingly so far as their interest in the said lands extends an easement or right of constructing maintaining and using the authorised works subject to and in accordance with the provisions of this section:

(3) The London Company shall pay to the protected company for the easement or right which they may acquire under the provisions of this section such consideration as may be agreed upon or as may be fixed in the event of difference by arbitration in the manner provided by the Lands Clauses Acts as varied by this Act with respect to the settlement of disputed compensation:

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- (4) The London Company shall twenty-eight days before they commence the construction of such part of any of the authorised works as shall or may pass under or over or be within a distance of one hundred lineal feet of the protected railway furnish to the protected company proper and sufficient plans sections and specifications of the works proposed to be made by the London Company under or over the protected railway or within a distance of one hundred lineal feet thereof and such plans sections and specifications shall be settled and agreed upon between the engineer of the London Company and the engineer or in case of their failing to agree within such twenty-eight days or of any difference arising between them the same shall be determined by arbitration as in this section provided and such works shall be carried into effect only in accordance with such agreement or determination and under the supervision and to the reasonable satisfaction of the engineer and at the costs charges and expenses in all respects of the London Company and when commenced shall be proceeded with as far as may be without delay :
- (5) The London Company shall at all times maintain the authorised works so far as the same affect the protected company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer and if and whenever the London Company fail so to do the protected company may after forty-eight hours' notice to the London Company (which notice shall not be necessary in case of emergency) make and do in and upon as well the lands or property of the London Company as their own lands all such works repairs and things as the protected company may reasonably think requisite and the sum from time to time certified by the engineer to be the reasonable amount of their expenditure in that behalf shall be repaid to them by the London Company Provided

always that in the event of any difference between the engineer and the engineer of the London Company as to the amount of such expenditure the same shall be determined by arbitration in manner in this section provided. The engineer and his duly authorised assistants shall at all reasonable times have free access (at their own risk as to accidents) to the authorised works and every reasonable facility shall be afforded them for the inspection thereof and every reasonable notice which they may give touching any defect or want of repair shall immediately or as soon as possible be complied with by the London Company: A.D. 1930.

- (6) If during and by the execution or user of any of the authorised works the protected railway or other property of the protected company shall be injured or damaged such injury or damage shall be forthwith made good by the London Company at their own expense to the reasonable satisfaction of the engineer or in the event of their failing so to do the protected company may make good the same and recover the costs thereof against the London Company and in the event of any dispute arising under this subsection the same shall be settled by arbitration as in this section provided:
- (7) The London Company shall not in making and maintaining or working or using any of the authorised works in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the protected railway or any traffic thereon and if at any time or times hereafter the free and uninterrupted and safe user of the protected railway or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the London Company shall pay to the protected company all reasonable costs and expenses to which that company may be put as well as full compensation for the loss sustained by them by

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reason of any such obstruction hindrance or interference :

- (8) All reasonable fees costs charges and expenses in respect of any of the matters in this section contained shall be borne and on demand paid by the London Company who during the construction renewal or repair of the authorised works under or adjacent to the protected railway and other property of the protected company shall bear and on demand shall pay to the protected company any reasonable additional costs charges and expenses of the engineer and his assistants and the expense of the employment by the protected company of a sufficient number of inspectors or watchmen to be appointed by them for watching the protected railway with reference to and during the execution of the authorised works and for preventing as far as may be all interference obstruction danger or accident from any of the operations of the London Company or from the acts or defaults of their contractors or of any person in their employ or otherwise :
- (9) If at any time the engineer shall be of opinion that the construction or maintenance of any of the authorised works or other operations of the London Company are or may be attended with danger to any portion of the protected railway or other property of the protected company the London Company shall at their own expense forthwith construct such temporary works and adopt such measures and precautions as the engineer may consider reasonably necessary for the purpose of preventing damage or injury thereto :
- (10) The London Company shall so construct their electric circuits and other works of all descriptions and shall so work the authorised works in all respects as to prevent any injurious interference by induction or otherwise with the electric circuits from time to time used or intended to be used on the protected railway

or with the currents in such circuits. Provided that as regards electric circuits erected or laid down on the protected railway after the construction of the authorised works this subsection shall only apply if reasonable and proper precautions have been taken in the erection or laying down of such circuits and if they have not been erected or laid down in unreasonably close proximity to the authorised works :

- (11) Notwithstanding anything in this Act contained the London Company shall be responsible for and make good to the protected company all costs losses damages and expenses which may be occasioned to the protected company or to the protected railway or other property of the protected company or to the traffic on the protected railway or otherwise by reason of the construction maintenance failure working or user of any of the authorised works or of any act or omission or default of the London Company or of any of the persons in their employ or of their contractors or others and the London Company shall effectually indemnify and hold harmless the protected company from all claims and demands upon or against them by reason of such construction maintenance failure working or user and of any such act or omission or default :
- (12) Any additional expense which the protected company may reasonably incur in reconstructing repairing or maintaining the protected railway by reason of the construction or existence of any of the authorised works shall be paid by the London Company :
- (13) The fact that any work or thing has been done or executed in accordance with any plan not objected to or approved by the protected company or with any requirement of the protected company or under the supervision of the engineer or in accordance with any direction or award of an arbitrator shall not excuse the London Company from any

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liability for damage caused to the protected railway or other property of the protected company or affect any claim by them for injury caused to the protected railway or the traffic thereon :

(14) In addition to the provisions in this section contained the protected company shall be entitled to the benefit of any general provisions contained in or incorporated with this Act for the protection of owners of property in relation to damage resulting from the construction maintenance working and use of any of the authorised works :

(15) Any question or difference which may arise between the London Company and the protected company as to any matters under or arising out of this section (other than subsection (3) thereof) or between their respective engineers as to the reasonableness of any requirement of the protected company or of the engineer or otherwise shall be 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 determination.

For protec-
tion of
Metropoli-
tan Electric
Tramways
Limited.

31. For the protection of the Metropolitan Electric Tramways Limited (in this section called "the tramway company") the following provisions shall unless otherwise agreed upon in writing between the tramway company and the London Company apply and have effect (that is to say) :—

(1) Not less than twenty-one days before commencing to construct the Railways Nos. 1 2 and 3 by this Act authorised or any of those railways or to lay down any main cable or apparatus for transmitting electrical energy so far as the same may be situate or intended to be situate so as to interfere with any of the tramways of the tramway company (including in the expression "tramways" where used in this section the light railways operated by the tramway company

and the substructure of tramways and light railways and the posts wires and electrical apparatus used by the tramway company in connection therewith) or to reconstruct lengthen widen or alter any bridge carrying a road in which the tramways are situate (all of which railways mains cables and apparatus and works of reconstruction lengthening widening and alteration of bridges are in this section referred to as "the works") the London Company shall give to the tramway company notice in writing of their intention to commence the works and such notice shall be accompanied by plans sections and particulars showing the nature and position of the works and the manner in which the works are intended to be carried out :

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- (2) The works shall be constructed and subsequently maintained by the London Company at their own expense in accordance with such plans sections and particulars as may be reasonably approved by the tramway company or settled by arbitration as hereinafter in this section provided Provided that if the tramway company do not within fourteen days after the submission of such plans sections and particulars to them intimate any objection or make any requirement with respect thereto in writing they shall be deemed to have approved the same :
- (3) The works shall be executed to the reasonable satisfaction of the tramway company :
- (4) The execution of the works shall where they affect the working of the tramways so far as practicable be carried on continuously by day and by night from the time when the same shall be commenced until the time when the same shall be completed and so as not unnecessarily to interrupt the traffic on the tramways and the London Company shall pay to the tramway company the reasonable cost incurred by the tramway company in supervising the works in so far as they affect the working of the tramways and in making provision by temporary tramways

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or otherwise for the continuous working of the tramways during the execution of the works :

- (5) The London Company shall repay to the tramway company any expense to which they may be put in reinstating the tramways or any part of any road repairable by them which may be interfered with by the execution of the works and the expense of carrying out such works as may be reasonably necessary for the protection of the tramways and all additional expense to which the tramway company may be put by reason of the works :
- (6) Where the repair or renewal of any of the works will involve any interference with the tramways or any portion of a road repairable by the tramway company the London Company shall (except in cases of emergency) give to the tramway company not less than forty-eight hours' notice in writing before commencing to effect such repair or renewal and the London Company shall in effecting any such repair or renewal conform to such reasonable requirements as may be made by the tramway company and the provisions of this section (so far as they may be applicable) shall apply to any such repair or renewal as if the same formed part of the works :
- (7) The London Company shall bear and on demand pay to the tramway company the expense of the employment by the tramway company during the execution of the works of a sufficient number of inspectors watchmen and signalmen to be appointed by the tramway company for watching and signalling and for managing and controlling the traffic on the tramways with reference to and during the execution of the works but such supervision by the tramway company shall not relieve the London Company from liability for any accident which may be occasioned by or through the operations of the London Company or their contractors agents or workmen :

- (8) If during the execution of the works or by reason of the failure of any of the works or of any act or omission of the London Company or of their contractors or of any person in the employ of the London Company or their contractors the tramways shall be injured or damaged such injury or damage may be made good by the tramway company and the London Company shall repay to the tramway company the expense thereof and the London Company shall indemnify the tramway company against all losses which the tramway company may sustain and shall pay all reasonable costs charges and expenses to which the tramway company may be put or may incur by reason of such execution failure act or omission as aforesaid : A.D. 1930.
- (9) The London Company shall compensate the tramway company for any damage or injury occasioned to the property of the tramway company and shall indemnify the tramway company against all claims for damage or injury by any persons in consequence of or arising from the construction or user of the works :
- (10) If by reason of the execution of the works any extra cost shall at any time hereafter be occasioned to the tramway company in renewing repairing or maintaining the tramways such extra cost shall be borne and paid by the London Company :
- (11) If any difference arises under this section between the London Company and the tramway company such difference shall be referred to and determined by an arbitrator to be agreed upon between the parties or in default of agreement to be appointed upon the application of either party (after notice in writing to the other of them) 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 and determination.

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For pro-
tection of
Saint
George's
Hospital.

32. For the protection of the president vice-presidents treasurers and governors of Saint George's Hospital (in this section referred to as "the owners") the following provisions shall notwithstanding anything contained in this Act or shown on the deposited plans and unless otherwise agreed in writing between the owners and the London Company apply and have effect (that is to say):—

(1) In this section—

"The protected premises" means the property known as Saint George's Hospital and includes the offices cellars vaults areas and other premises connected therewith or belonging thereto whether above or below ground;

"The signed plan" means the plan signed in duplicate by the Right Honourable Charles Hardinge Baron Hardinge of Penshurst the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred one copy of which plan has been deposited in the Parliament Office in the House of Lords and the other in the Committee and Private Bill Office of the House of Commons;

"The area" means the sunken area surrounded by a red verge line on the signed plan:

(2) Except as is provided by subsections (3) (5) and (7) of this section the London Company shall not enter upon take or use any greater or other part of the protected premises than so much of the subsoil or under-surface of the land coloured blue on the signed plan as may be required for the purpose of constructing maintaining and using (subject to the provisions of this Act) Work No. 3 and the works connected therewith or incidental thereto by this Part of this Act authorised:

(3) Contemporaneously with the construction of the said Work No. 3 the London Company may and shall construct a cover over so much

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of the area as is cross hatched red on the signed plan and at its own cost make up the surface of the said cover to the reasonable satisfaction of the mayor aldermen and councillors of the city of Westminster (in this section referred to as "the Westminster City Council") as part of the footway of Knightsbridge and Grosvenor Place (as the case may be) and on the completion of such making up the said surface shall be and become a part of the said footway and be deemed to have been dedicated in perpetuity to the use of the inhabitants at large. The London Company shall be responsible for the maintenance and repair of the said cover supporting the said footway and shall be entitled at all reasonable times in the day time to enter the area for the purpose of executing any works that may be found necessary for the maintenance and repair of the said cover:

- (4) The London Company shall construct the said Work No. 3 so that the stairway entrances leading from the street level to the said work shall be placed on the footway of Knightsbridge and Grosvenor Place and (subject to the approval of the Westminster City Council) generally in the positions shown on the signed plan:
- (5) The London Company shall also contemporaneously with the construction of the said Work No. 3 set back the existing railings (including the gate) of the area to the position shown on the signed plan by a green verge line and construct steps and handrails down to the area in the position shown on the signed plan and marked "Steps down to area":
- (6) The works specified in subsections (3) and (5) of this section shall be constructed by the London Company to the reasonable satisfaction and under the supervision (if given) of the owners and in accordance with detailed plans sections and specifications to be previously submitted to and reasonably approved by

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them. If the owners do not within fourteen days after submission to them of any such plans sections and specifications intimate to the London Company in writing their approval or disapproval thereof they shall be deemed to have approved thereof:

- (7) The London Company shall provide such temporary access from the surface of Knightsbridge as the owners may reasonably require to the area during the construction of the said Work No. 3 and the works specified in subsections (3) and (5) of this section:
- (8) The owners shall afford to the London Company all reasonable facilities for constructing the works specified in subsections (3) (5) and (7) of this section:
- (9) In addition to any compensation or purchase money payable to the owners in respect of any lands which may be taken or used by the London Company under the powers of this Part of this Act the London Company shall pay to the owners full compensation for all loss or damage which may be occasioned to the owners by reason of the construction of the said Work No. 3 and of the works specified in subsections (3) and (5) of this section including the dedication of the surface of the cover referred to in the said subsection (3) to the use of the inhabitants at large. The amount of such compensation shall be determined (in default of agreement) by arbitration under and subject to the provisions of the Lands Clauses Acts (as varied by this Act) with respect to the purchase and taking of lands otherwise than by agreement:
- (10) In constructing any works under the powers of this Part of this Act (including the works specified in this section) the London Company shall employ all means which shall be reasonably practicable for minimising noise and nuisance and inconvenience to the owners and the inmates of Saint George's Hospital:

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- (11) The reasonable expenses of the owners of and in relation to any such approval of plans sections or specifications or supervision by them as is referred to in this section shall be paid by the London Company : A.D. 1930.
- (12) In addition to the provisions of this section the owners shall be entitled to the benefit of any provisions contained in or incorporated with this Act for the protection of owners of property in relation to damage resulting from the construction maintenance working and use of any works constructed under the powers of this Part of this Act :
- (13) If any difference shall arise between the London Company and the owners or the Westminster City Council under this section (other than any disputed question of compensation which it is provided by this Act shall be determined by arbitration under the Lands Clauses Acts) the same shall be referred to and determined by an engineer to be appointed on the application of any party (after notice in writing to the others) 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 and determination.

33. For the protection of the Ritz Hotel (London) Limited the Berkeley Hotel Company Limited and Devonshire House Limited and their respective successors and assigns or other the owners for the time being of the protected premises as hereinafter defined (each of whom is in relation to its protected premises in this section included in the expressions "the owner" and "the owners") the following provisions shall have effect unless otherwise agreed in writing between the London Company and the owners :—

For protection of Ritz Hotel (London) Limited Berkeley Hotel Company Limited and Devonshire House Limited.

(1) In this section—

The expression "the protected premises" means in the case of the Ritz Hotel (London) Limited the buildings and premises known as the Ritz Hotel on the south side of Piccadilly and east side of the Green Park in the case

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of the Berkeley Hotel Limited the premises known as the Berkeley Hotel at the junction of Piccadilly with Berkeley Street and in the case of Devonshire House Limited the premises known as Devonshire House on the north side of Piccadilly and includes all vaults cellars works properties and conveniences belonging to the owners;

The expression "the prescribed distance" means the distance of fifty lineal feet measured in a horizontal plane from any part of the protected premises or from the sub-soil thereof and includes any distance under the protected premises or sub-soil :

- (2) The London Company shall not acquire under the powers of this Act any part of the protected premises other than the premises numbered 9 in the city and metropolitan borough of Westminster on the deposited plans and any easement or right of using the sub-soil or under-surface of the protected premises necessary for the purposes of the Subway No. 5 and Work No. 4 and works in connection with such subway and work authorised by this Part of this Act :
- (3) Before commencing to construct any work by this Part of this Act authorised within the prescribed distance the London Company shall give to the owner not less than twenty-one days' notice in writing of their intention to commence the work accompanied by plans and sections of the works proposed to be executed within the prescribed distance :
- (4) All works constructed under the powers of this Part of this Act within the prescribed distance shall be executed to the reasonable satisfaction of the owner in accordance with the said plans and sections and so as not unreasonably to obstruct the access to or egress from the protected premises :
- (5) The owners may jointly appoint an engineer who shall at all reasonable times on giving reasonable previous notice have free access to

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any works constructed under the powers of this Part of this Act within the prescribed distance for the purpose of inspecting those works and every reasonable facility shall be afforded to him by the London Company for that purpose :

- (6) The London Company shall on demand pay to the owners the reasonable costs and expenses incurred by them in connection with the inspection of the works by the engineer appointed under the provisions of this section :
- (7) Any dispute or difference which may arise between the owners and the London Company under the provisions of this section shall be referred to and settled by a single arbitrator to be agreed between the owners and the London Company or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to the reference.

34. For the protection of the Improved Industrial Dwellings Limited or other the owners for the time being of the protected premises as hereinafter defined (in this section referred to as "the owners") the following provisions shall have effect unless otherwise agreed in writing between the London Company and the owners :—

For protection of Improved Industrial Dwellings Limited.

- (1) In this section—

The expression "the protected premises" means the properties numbered on the deposited plans 6 7 8 9 and 10 in the metropolitan borough of Saint Marylebone ;

The expression "the prescribed distance" means the distance of twenty-five lineal feet measured in a horizontal plane from any part of the protected premises and includes any distance under the protected premises :

- (2) Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the London Company shall not enter upon take or use any part of the protected premises but the London Company may purchase and take

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and the owners shall sell and grant accordingly so far as their interest in the protected premises extends an easement or right of constructing maintaining and using (subject to the provisions of this Act) Subways Nos. 9 and 10 and the works connected therewith or incidental thereto by this Part of this Act authorised :

- (3) The London Company shall pay to the owners for the easement or right which they may acquire under the provisions of this section such consideration as shall be agreed upon or as may be fixed in the event of difference by arbitration in manner provided by the Lands Clauses Acts as varied by this Act with respect to the settlement of disputed compensation :
- (4) Before commencing to construct any work by this Part of this Act authorised within the prescribed distance the London Company shall give to the owners not less than twenty-one days' notice in writing of their intention to commence the work accompanied by plans and sections of the works proposed to be executed within the prescribed distance :
- (5) All works constructed under the powers of this Part of this Act within the prescribed distance shall be executed to the reasonable satisfaction of the owners in accordance with the said plans and sections :
- (6) The London Company in constructing Subways Nos. 9 and 10 by this Part of this Act authorised under the protected premises shall not deviate vertically upwards so that the crown of such subways is more than five feet above the level of the crown of such subways as shown on the deposited sections :
- (7) The owners may appoint an engineer who shall during the construction thereof at all reasonable times on giving reasonable previous notice have free access to any works to be constructed under the powers of this Part of this Act within the prescribed distance for the purpose of inspecting those works and every reasonable facility shall

be afforded to him by the London Company for that purpose :

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- (8) The London Company shall on demand pay to the owners the reasonable costs and expenses incurred by them in connection with the inspection of the works by the engineer appointed under the provisions of this section :
- (9) Any dispute or difference which may arise between the owners and the London Company under the provisions of this section (other than under the provisions of subsection (3) hereof) shall be referred to and settled by a single arbitrator to be agreed between the owners and the London Company or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to the reference.

PART III.

DISTRICT COMPANY—WIDENINGS.

35. Subject to the provisions of this Act the District Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the widenings and other works in this Part of this Act described with all necessary and convenient alterations to the District Company's existing railway and all proper rails stations platforms junctions signals sidings depots approaches wires cables transformer stations plant and electrical and other machinery apparatus works and conveniences connected therewith and 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 relating thereto as may be required for those purposes and for any other purposes connected with its undertaking (that is to say) :—

Power to District Company to construct widenings.

In the county of Middlesex—

Widening No. 1 A widening and alteration of the District Company's Hounslow extension

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railway on the north side thereof 2 miles 1 furlong 2·5 chains or thereabouts in length situate in the boroughs of Acton and Ealing and in the urban district of Brentford and Chiswick commencing at a point in the urban district of Brentford and Chiswick 16 yards or thereabouts measured in a south-easterly direction from the centre of the bridge carrying Gunnersbury Lane over the railway of the District Company and 7 yards or thereabouts measured in a north-easterly direction from the north-eastern edge of the existing eastbound platform of Acton Town Station and forming a junction with the Widening No. 1 authorised by the London Act of 1926 and terminating in the urban district of Brentford and Chiswick by a junction with the eastbound track of the District Company's Hounslow extension railway opposite the north-eastern end of the north-western abutment of the bridge carrying Boston Road over the said extension railway;

Widening No. 2 A widening and alteration of the District Company's Hounslow extension railway on the south side thereof 2 miles 1 furlong 3·5 chains or thereabouts in length situate in the borough of Ealing and in the urban district of Brentford and Chiswick commencing in the borough of Ealing at a point 43 yards or thereabouts measured in a south-easterly direction from the centre of the bridge carrying the westbound track of the District Company's Ealing extension railway over the said Hounslow extension railway and 170 yards or thereabouts measured in a south-easterly direction from the eastern end of the southern abutment of the bridge carrying Tring Avenue over the said Hounslow extension railway and forming a junction with the Widening No. 2 authorised by the London Act of 1926 and terminating in the urban district of Brentford and Chiswick by

a junction with the westbound track of the said Hounslow extension railway at a point 21 yards or thereabouts measured in a north-easterly direction from the centre of the towing-path of the Grand Junction Canal at the point where the said railway crosses over that path; A.D. 1930.

Widening No. 3 A widening and alteration of the District Company's Hounslow extension railway on the north-west side thereof 1 furlong 3·5 chains or thereabouts in length situate wholly in the urban district of Heston and Isleworth commencing at a point 246 yards or thereabouts measured in a north-easterly direction along the said Hounslow extension railway from the centre of the bridge carrying that railway over Kingsley Road by a junction with the eastbound track of the said railway and terminating at a point 52 yards or thereabouts measured in a south-westerly direction along the said railway from the centre of the said bridge carrying the said railway over Kingsley Road by a junction with the said eastbound track of the said railway;

Widening No. 4 A widening and alteration of the District Company's Hounslow extension railway on the south-east side thereof 1 furlong 2·7 chains or thereabouts in length situate wholly in the urban district of Heston and Isleworth commencing at a point 217 yards or thereabouts measured in a north-easterly direction along the said Hounslow extension railway from the centre of the said bridge carrying that railway over Kingsley Road by a junction with the westbound track of the said railway and terminating at a point 63 yards or thereabouts measured in a south-westerly direction along the said railway from the centre of the said bridge carrying the said railway over Kingsley Road

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by a junction with the said westbound track of the said railway.

In the county of London—

Widening No. 5 A widening and alteration of the District Company's railway on the western side thereof 6·5 chains or thereabouts in length situate wholly in the metropolitan borough of Hammersmith commencing at a point 69 yards or thereabouts measured in a south-easterly direction along the said railway from the centre of the bridge carrying Great Church Lane over the said railway by a junction with the westbound track of the said railway and terminating at a point 75 yards or thereabouts measured in a north-westerly direction along the said railway from the centre of the said bridge by a junction with the westbound loop track at the Hammersmith Station on the said railway.

Height and span of bridges.

36. The District Company may make the arches of the bridges for carrying the widenings over the roads next hereinafter mentioned of any heights and spans not less than the heights and spans hereinafter mentioned in connection therewith respectively (that is to say) :—

No. on deposited plan.	Urban district.	Description of road.	Height.	Span.
	WIDENINGS NOS. 3 AND 4.			
5	Urban district of Heston and Isleworth.	Kingsley Road	ft. ins. 15 3	40 ft.

Width of roadways over bridges.

37. The District Company may make the roadway over the bridges by which the following roads will be carried over the widenings of such width between the fences thereof as the District Company think fit not being less than the respective widths hereinafter

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mentioned in connection therewith respectively (that is to say) :— A.D. 1930.

No. on plan.	Borough or urban district.	Description of roadway.	Width of roadway.
WIDENING No. 1.			
4	Urban district of Brentford and Chiswick	} Gunnersbury Lane	54 ft.
2	Borough of Ealing		
WIDENINGS NOS. 1 AND 2.			
11	Urban district of Brentford and Chiswick.	Boston Road -	60 ft.
9	Borough of Ealing - -	Tring Avenue -	40 ft.
18	Borough of Ealing - -	Gunnersbury Avenue.	50 ft.
43	Borough of Ealing - -	Ascott Avenue -	40 ft.
71	Borough of Ealing - -	South Ealing Road	50 ft.
128	Borough of Ealing - -	Weymouth Avenue	40 ft.
143	Borough of Ealing - -	Northfield Avenue	51 ft.
WIDENING No. 5.			
2	Metropolitan borough of Hammersmith.	Great Church Lane	40 ft.

38. The provisions contained in the sections of the Acts which are mentioned in the Second Schedule to this Act in so far as they relate to the District Company's undertaking are (subject to any amendment or variation by this Act) incorporated with and form part of this Part of this Act and shall so far as applicable and not inconsistent with the provisions of this Act extend and apply to the widenings by this Part of this Act authorised to the roads over or under which the same are to be made to the lands subsoil easements and rights by this Part of this Act authorised to be acquired by the District Company and to 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 had been expressly re-enacted in this Part of this Act with reference thereto respectively :

Incorporating certain provisions of existing Acts.

Provided that for the purpose of such incorporation the expression "the company" where used in those sections shall mean the District Company and the

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A.D. 1930. — expression "the railway" shall mean the widenings and that wherever in those sections district boards of works or vestries are mentioned or referred to the same shall be read and construed as if the council of a borough or metropolitan borough or urban district 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 40 of the District Act of 1897 the expression "the protected companies" shall include the London Power Company Limited and any company or local authority for the time being authorised to supply electricity under the provisions of the Electricity (Supply) Acts 1882 to 1928 which may have lawfully laid electric mains within the limits of deviation shown on the deposited plans before the commencement of the construction of the widenings by this Part of this Act authorised as fully as if that company or local authority were one of the protected companies in such section named.

Power to deviate laterally.

39. In the execution of the widenings by this Part of this Act authorised the District Company may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon.

Power to deviate vertically.

40. In the execution of the widenings by this Part of this Act authorised the District Company may deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient.

Rates and charges.

41. The widenings shall for the purposes of tolls rates and charges form part of the railway of the District Company of which they form widenings and for all other purposes whatsoever shall form part of the undertaking of the District Company.

Bridge works in county of London.

42.—(1) The District Company shall not execute or commence to execute the construction of the bridge or works for carrying Great Church Lane over Widening No. 5 by this Act authorised until they have given to the London County Council (in this section called "the council") twenty-one days' previous notice in writing of their intention to commence the same by leaving such notice at the offices of the council with plans elevations

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sections and all other necessary particulars of the works and until the same have been approved by the council (unless the council fail to signify their approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid) and the District Company shall comply with and conform to all reasonable directions and regulations of the council in the construction of such bridge and works and shall save harmless the council against all and every reasonable expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the council at the reasonable costs charges and expenses in all respects of the District Company and all reasonable costs charges and expenses which the council may be put to by reason of the works of the District Company whether in the construction of the bridge or works the preparation or examination of plans and designs superintendence or otherwise shall be paid to the council by the District Company on demand.

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(2) Any difference arising between the council and the District Company under the foregoing provisions of this section shall unless otherwise agreed be referred to and determined by an engineer to be agreed or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the Arbitration Act 1889 shall apply to such reference.

43. With reference to the widening of the District Company's Railway at Hammersmith by this Act authorised to be made and executed in the metropolitan borough of Hammersmith (in this section called "the borough") and for the protection of the council of the borough (in this section called "the corporation") the following provisions shall unless otherwise agreed in writing between the District Company and the corporation apply :—

For protection of Hammersmith Borough Council.

(1) The provisions contained in section 25 (For protection of Hammersmith Borough Council) of the District Act of 1915 shall so far as applicable extend and apply to so much of the works by this Part of this Act authorised as are within the borough as fully and effectually

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to all intents and purposes as if those provisions had been expressly re-enacted in this Act :

- (2) If the District Company acquire any portion of the passageway numbered on the deposited plan 5 in the parish and metropolitan borough of Hammersmith in which electrical cables of the corporation are laid they shall afford to the corporation for such cables and for such further cables as the corporation may reasonably require from their electric lighting station to Great Church Lane a wayleave along or over the new retaining wall to be erected by the District Company under the powers of this Act and shall bear the reasonable cost of the removal of any cables from their present position to such retaining wall consequent upon the works involved in the execution of the widening and shall support the said cables during the progress of the said works and shall further afford to the corporation their officers and servants access at all reasonable times to lay examine or repair the said cables and also to pass to and from Great Church Lane to the said electric lighting station and upon the completion of the said works shall at their own cost and expense provide a passageway between Great Church Lane and the said electric lighting station similar in width to the existing passageway :
- (3) The District Company shall not under the powers of this Act alter the bridge carrying Great Church Lane so as to prevent the corporation's electricity mains conduits and pipes crossing the bridge in the manner in which they are at present carried from the southern side to northern side of the said bridge :
- (4) If and so often as any difference shall arise between the District Company and the corporation or their respective engineers under this section the same shall be determined by a single arbitrator to be appointed upon the application of either party 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 arbitration.

44. The following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Ealing (in this section referred to as "the corporation") shall except so far as may be otherwise agreed in writing between the District Company and the corporation apply and have effect in reference to the works in the borough of Ealing (hereinafter in this section called "the borough") authorised to be executed by this Act (that is to say) :—

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For protection
of Ealing
Corporation.

- (1) In its application to the borough section 40 of the District Act of 1897 shall extend and apply to the works authorised by this Act in or under any land within twenty feet of any mains pipes syphons plugs wires or other works of the corporation in the borough and the said section shall also be read and have effect in relation to the borough as if twenty-one days were therein substituted for fourteen days and as if fourteen days were therein substituted for seven days :
- (2) Any works of the District Company which will involve the breaking up of any street or interference with any sewer drain sanitary convenience or other work vested in or belonging to the corporation shall be executed in accordance with plans and sections previously submitted to and reasonably approved by the corporation. If the corporation do not within twenty-one days from the submission to them of any such plans and sections express to the District 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 corporation who may inspect by their surveyor or other officer any such works :
- (3) The District Company shall not in connection with the construction of any works under the powers of this Act place any hoarding on any part of any highway in the borough except with the reasonable approval of the corporation and for such period and in such manner as

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may be necessary during and for the purpose of the execution of works by this Act authorised No advertisement shall be posted on any such hoarding (except advertisements or placards giving information to the public as to the traffic of the District Company and of the companies associated with it or general information in connection therewith and with the undertakings of such companies) unless the same shall have been approved by the corporation :

- (4) In the case of any difference between the District Company and the corporation 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 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 :
- (5) The provisions of the section of this Act of which the marginal note is "Use of sewers for removing water" shall not apply to any sewer or drain of the corporation other than a sewer or drain the use of which is limited to the discharge of surface water.

For protection of Heston and Isleworth Urban District Council.

45. The following provisions for the protection and benefit of the urban district council of Heston and Isleworth (in this section called "the council") shall except so far as may be otherwise agreed in writing between the District Company and the council apply and have effect in reference to the works in the district of the council authorised by this Part of this Act (that is to say) :—

- (1) Not less than two months before commencing the construction of so much of Widenings Nos. 3 and 4 by this Part of this Act authorised as affects or involves interference with the road in the district of the council known as Kingsley Road (numbered 5 in the said district

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on the deposited plans) the District Company shall give notice in writing to the council of their intention to construct such part of the said widenings :

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- (2) Within two months after the receipt of the notice referred to in subsection (1) of this section the council may give notice in writing to the District Company of their desire that simultaneously with the construction of the arch or superstructure of the bridges for carrying the said widenings (or either of them) over Kingsley Road in accordance with the provisions of the section of this Part of this Act of which the marginal note is "Height and span of bridges" the existing bridge carrying the District Company's Hounslow extension line over the said road shall be reconstructed so as to constitute one consolidated structure and so as to have the like span of forty feet throughout and so that the foundations of the existing and the new bridges shall be such as to permit of the lowering of the said road to such a level as will make the minimum height of such bridge over the same not less than sixteen feet six inches :
- (3) If the council shall give to the District Company the notice referred to in subsection (2) of this section the District Company when constructing the said widenings or either of them shall comply with the said notice and upon completion of the works referred to in the said notice the council shall pay to the District Company the cost which may reasonably be incurred by the District Company in or about the reconstruction and widening of the existing bridge and in or about such lowering of the existing foundations thereof as may be necessary :
- (4) If after the service of a notice under subsection (1) of this section the District Company do not proceed with the construction of the widenings therein referred to or either of them within two years the notice together with any

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notice which may have been served by the council under the provisions of subsection (2) of this section shall be void and of no effect and the District Company shall not thereafter proceed with the construction of the said widenings unless they give further notice to the council under subsection (1) of this section :

- (5) Before commencing the construction of any works required by the council under subsection (2) of this section the District Company shall submit to the council plans and sections thereof for their reasonable approval together with an estimate of the cost which the council will be liable to pay under subsection (3) of this section and if the council shall not within twenty-one days after the submission of the plans and sections signify their approval or disapproval they shall be deemed to have approved thereof :
- (6) The works shown or described on any such plans and sections submitted as aforesaid shall not (unless otherwise agreed) 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) Simultaneously with or at any time after the carrying out by the District Company of the works referred to in subsection (2) of this section the council may lower the level of Kingsley Road to such a level as will make the minimum height of the existing and the new bridges over the same sixteen feet six inches or such less height as the council may think fit :
- (8) The bridge or bridges to be constructed by the District Company over Kingsley Road shall be so constructed as to prevent as far as reasonably practicable the dripping of water from the said bridge or bridges on to the highway and the District Company shall construct and at all times thereafter maintain on the outer sides of such bridge or bridges parapets not less than four feet six inches in height :

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- (9) The District Company shall not interfere with the traffic on any road in the district of the council to any greater extent or for any longer period than shall be reasonably necessary for the purposes of the execution of the works authorised by this Act : A.D. 1930.
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- (10) The District Company shall not in connection with the construction of any works under the powers of this Act 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 works by this Act authorised. No advertisement or placards shall be posted on any such hoarding (except advertisements or placards giving information to the public as to the traffic of the District Company and of the companies associated with it or general information in connection therewith and with the undertakings of such companies) unless the same shall have been approved by the council :
- (11) In the case of any difference between the District Company and the council with respect to any of the matters in this section 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 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 sewers 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) (a) The council may in addition to any moneys now borrowed by them or which they are now authorised to borrow or which they may be authorised to borrow under the provisions of any

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Act of Parliament borrow at interest the sum requisite for the purposes of any payment to be made by them under subsection (3) of this section Any moneys borrowed by the council under this Act and the interest payable thereon shall be respectively charged on the general rate fund and general rate of the district of the council and shall be repaid within forty years from the date of borrowing the same in accordance with the provisions of the Public Health Act 1875 as if the same were borrowed under that Act;

- (b) The clerk to the council shall if and when he is requested by the Minister of Health so to do transmit to the Minister a return showing the provision made for the repayment of any loans raised by the council under the provisions of this section;
- (c) The return shall show such particulars and shall be made up to such date and in such form as the Minister of Health may require and shall if so required by him be verified by a statutory declaration of the clerk to the council and shall be transmitted within one month after the making of the request and in the event of his failing to make such return the clerk shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by the Minister of Health in a court of summary jurisdiction and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister of Health out of the High Court;
- (d) If it appears to the Minister of Health by such a return as aforesaid or otherwise that the council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (where such instalment or annual payment or sum is required by this Act or by the Minister of Health in virtue thereof to be paid appropriated or set apart) or have applied any portion

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of any sinking fund to any purpose other than that authorised the Minister of Health may by order direct that the sum in such order mentioned not exceeding the amount in respect of which default has been made shall be paid or applied in the manner and by the date in such order mentioned and the council shall notify the Minister of Health as soon as the order is complied with and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

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46. For the protection of the London Midland and Scottish Railway Company (in this section referred to as "the Midland Company") the following provisions shall unless otherwise agreed be observed and have effect:—

For protection of London Midland and Scottish Railway Company.

The Midland Company may run over and use Widenings Nos. 1 and 2 by this Act authorised in the exercise of their running powers pursuant to an agreement dated the third day of August one thousand nine hundred and eleven and made between the Metropolitan District Railway Company of the one part and the London and North Western Railway Company and the Midland Railway Company of the other part as though such widenings were a part of the railways over which running powers were granted to the London and North Western Railway Company and the Midland Railway Company by that agreement and the Midland Company may run over and use Widening No. 5 by this Act authorised in the exercise of their running powers pursuant to an agreement dated the twenty-fifth day of April one thousand eight hundred and seventy-six and made between the Midland Railway Company and the Metropolitan District Railway Company and scheduled to and confirmed by the Midland Railway (Further Powers) Act 1877 as though such widening were a part of the District Railway over which the Midland Railway Company were granted running powers by the said agreement.

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For protection
of London
United
Tramways
Limited.

47. For the protection of the London United Tramways Limited (in this section called "the tramway company") the following provisions shall unless otherwise agreed in writing between the District Company and the tramway company have effect in respect to the widening and alteration of the District Company's railway at Boston Road under the powers of this Act:—

- (1) The District Company in carrying out the works authorised by this Part of this Act shall interfere as little as possible with the tramways owned or worked by the tramway company (including the substructure thereof and the posts cables wires and other apparatus connected therewith) and so as not to damage the same or cause any interruption of or impediment to the traffic on the said tramways and shall so maintain the said works as not to damage or interfere with the said tramways or the traffic thereon:
- (2) The District Company shall pay to the tramway company all reasonable expenses to which the tramway company may be put by or in consequence of the said works and in payment of watchmen and inspectors during the construction of the said works and any reasonable additional expense which may be caused to the tramway company by or in consequence of the construction maintenance or user of the said works:
- (3) The District Company shall indemnify the tramway company against all claims arising in respect of and compensate them for any injury to the property or works of the tramway company or to any person or persons using the said tramways in consequence of or during the construction of the said works or the subsequent user thereof but the appointment by the tramway company of any inspector or the superintendence of any works by the tramway company shall not relieve the District Company from any liability in connection with any works carried out by the District Company:

- (4) The District Company shall carry out such works as the tramway company may reasonably consider necessary for the protection of the said tramways and other property against damage from subsidence or other causes: A.D. 1930.
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- (5) If any difference shall arise under this section the same shall be referred to and determined by an arbitrator to be appointed (unless otherwise agreed) by the President of the Institution of Civil Engineers on the application of either party after notice to the other and subject thereto the provisions of the Arbitration Act 1889 shall apply to the reference.

PART IV.

CENTRAL COMPANY—SUBWAYS AND WORKS.

48. 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 in this Part of this Act described with all necessary and convenient tunnels stations platforms lifts escalators inclines stairs approaches passages subways sidings lay-byes stagings buildings sewers drains pipes wires apparatus plant depots 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 and for any other purposes connected with its undertaking and in connection with the said subways and works the Central Company may construct and maintain entrances steps lifts escalators shafts passages inclines and other approaches and conveniences connecting the said subways and works with the surface of the pavements or carriageways adjoining the same or with the platforms of stations: Power to Central Company to make subways and works.

Provided always that (except as expressly provided by this Act) nothing in this Act shall authorise the Central Company to enter upon take or use the surface of any public street or road but (subject as aforesaid) the Central Company may enter upon take use and

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A.D. 1930. — appropriate the subsoil and undersurface 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 subways and works by this Part of this Act authorised without being required to purchase the same or any easement therein or thereunder or to make any payment therefor.

Description
of works.

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

Subway No. 13 A subway situate partly in the city and metropolitan borough of Westminster and partly in the metropolitan borough of St. Marylebone commencing in the metropolitan borough of St. Marylebone under the footway of Oxford Street at a point 40 yards or thereabouts measured in a westerly direction from the west side of Old Quebec Street at its junction with Oxford Street and 33 yards or thereabouts measured in a north-westerly direction from the east side of Park Lane at its junction with Oxford Street and terminating under Oxford Street on the boundary line between the city and metropolitan borough of Westminster and the metropolitan borough of St. Marylebone at a point 24 yards or thereabouts measured in a south-easterly direction from the east side of Old Quebec Street at its junction with Oxford Street and 62 yards or thereabouts measured in a north-easterly direction from the east side of Park Lane at its junction with Oxford Street;

Work No. 9 A booking hall situate partly in the city and metropolitan borough of Westminster and partly in the metropolitan borough of St. Marylebone in and under the roadways of Oxford Street Marble Arch and Park Lane and the streets roads and places adjoining such roads and in and under the premises known as Nos. 552 554 556 568 503 505 507 509 511 513 and 515 Oxford Street and No. 40 Park Lane for and in connection with the Marble Arch Station

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of the Central Company with entrances from and exits to such booking hall to and from the surface of Oxford Street and Park Lane and adjoining premises; A.D. 1930.

Subway No. 14 A subway situate wholly in the metropolitan borough of Holborn commencing in the booking hall of the Chancery Lane Station of the Central Company at a point 23 yards or thereabouts measured in a northerly direction from the north side of High Holborn and terminating under High Holborn at a point 47 yards or thereabouts measured in a north-easterly direction from the east side of Chancery Lane at its junction with High Holborn and 24 yards or thereabouts measured in a north-westerly direction from the west side of the street known as Southampton Buildings at its junction with High Holborn;

Subway No. 15 A subway situate wholly in the metropolitan borough of Holborn commencing under the booking hall of the Chancery Lane Station of the Central Company at a point 7 yards or thereabouts measured in a northerly direction from the north side of High Holborn and terminating under High Holborn at a point 53 yards or thereabouts measured in an easterly direction from the east side of Chancery Lane at its junction with High Holborn and 14 yards or thereabouts measured in a northerly direction from the west side of the street known as Southampton Buildings at its junction with High Holborn;

Work No. 10 An enlargement of the tunnels of the railway of the Central Company situate wholly in the metropolitan borough of Holborn under the roadway of High Holborn commencing at a point 33 yards or thereabouts measured in a south-easterly direction from the west side of Southampton Row at its junction with High Holborn and 32 yards or thereabouts measured in a north-easterly direction from the west side of Kingsway at its junction with High Holborn and terminating at a point 64 yards or

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thereabouts measured in a north-easterly direction from the east side of New Turnstile at its junction with High Holborn and 50 yards or thereabouts measured in a westerly direction from the west side of Dane Street at its junction with High Holborn;

Subway No. 16 A subway situate wholly in the metropolitan borough of Holborn commencing in the booking hall of the Holborn Station of the London Company at a point 13 yards or thereabouts measured in an easterly direction from the east side of Kingsway and terminating by a junction with Work No. 10 at a point 74 yards or thereabouts measured in an easterly direction from the point of commencement hereinbefore described of the said Work No. 10;

Subway No. 17 A subway situate wholly in the metropolitan borough of Holborn commencing with a junction with Subway No. 16 at a point 55 yards or thereabouts measured in an easterly direction from the point of commencement of the hereinbefore described Subway No. 16 and terminating by a junction with the existing subways of the Holborn Station of the London Company at a point 16 yards or thereabouts measured in an easterly direction from the east side of Kingsway.

Breaking
up surface
of streets
and
permanent
openings
therein.

50.—(1) Subject to the provisions of this Act the Central Company may for the purpose of constructing the subways and works by this Part of this Act authorised and the works and conveniences connected therewith respectively—

(a) enter upon open break up and interfere with so much of the surface of the following streets roadways, footways and places as is within the limits of deviation of the said subways and works (that is to say):—

In the city and metropolitan borough of Westminster and in the metropolitan borough of St. Marylebone—

Oxford Street and Marble Arch between Great Cumberland Place and Old Quebec Street;

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Park Lane at its junction with Oxford Street and Marble Arch;

In the metropolitan borough of Holborn—

Fulwood Place at rear of the Chancery Lane Station of the Central Company;

High Holborn opposite the said Chancery Lane Station;

High Holborn at or near the junction of Little Turnstile therewith; and

(b) may make and maintain permanent openings in the roadways and footways of so much of Park Lane at or adjacent to Marble Arch in the city and metropolitan borough of Westminster as is within the said limits of deviation

without being required to purchase any part of the surface or undersurface of such streets roadways and footways or any easement in or through the same or to make any payment therefor.

(2) Before breaking up or interfering with any portion of the surface of the said roadways and footways under the powers of this section the Central Company shall give to the Minister of Transport not less than one month's previous notice in writing of its intention so to do and shall also give not less than seven days' notice in writing to the Commissioner of Police of the Metropolis and make such arrangements with such commissioner as may be necessary so as to cause as little interference with traffic as may be reasonably possible.

(3) Save as aforesaid (and except for the purpose of making trial borings or altering or diverting sewers pipes cables wires and other works) nothing in this Act contained shall empower the Central Company to break up or interfere with the surface of any street for the purpose of constructing maintaining or using the subways and works by this Part of this Act authorised. Provided always that the Central Company shall not alter divert or otherwise interfere with the pipes cables wires or other

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A.D. 1930. works of the Postmaster-General except in accordance
with and subject to the provisions of the Telegraph
Act 1878.

Incor
porating
certain
provisions
of existing
Acts.

51. The provisions contained in the sections and parts of sections of the Acts which are mentioned in the Third Schedule to this Act in so far as they relate to the Central Company's undertaking are (subject to any amendment or variation by this Act) incorporated with and form part of this Part of this Act and shall so far as applicable and not inconsistent with the provisions of this Act extend and apply to the subways and works by this Part of this Act authorised to the roads under and along which the same are to be made to the lands subsoil easements and rights by this Act authorised to be acquired by the Central Company and to 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 had been expressly re-enacted in this Part of this Act with reference thereto respectively :

Provided that for the purpose of such incorporation the expression "the company" where used in those sections shall where the context so requires mean and include the Central Company and that wherever in those sections district boards of works or vestries are mentioned or referred to the same shall be read and construed as if the council of a city or metropolitan borough 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 Central Act of 1891 the expression "the protected companies" shall include the London Power Company Limited and any company or local authority for the time being authorised to supply electricity under the provisions of the Electricity (Supply) Acts 1882 to 1928 which may have lawfully laid electric mains within the limits of deviation shown on the deposited plans before the commencement of the construction of the subways and works by this Part of this Act authorised as fully as if that company or local authority were one of the protected companies in such section named. Provided further that section 97 of the Central Act of 1891 and subsection (3) of section 21 and section 42 of the Central Act of 1913 shall for the purposes of their application

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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."

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52. In the execution of the subways and works by this Part of this Act authorised 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.

Power to deviate laterally.

53. In the execution of the subways and works by this Part of this Act authorised the Central Company may deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient.

Power to deviate vertically.

54. If any of the subways and works by this Part of this Act authorised are not completed within the period expiring on the thirty-first day of October one thousand nine hundred and thirty-five then on the expiration of that period the powers by this Part of this Act granted to the Central Company for making and completing the subway or work which is not so completed or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Period for completion of works.

55. The subways and works by this Part of this Act authorised shall for all purposes whatsoever form part of the undertaking of the Central Company.

Subways &c. to form part of undertaking.

56. For the protection of premises numbered 35 on the deposited plans in the metropolitan borough of Holborn and for the benefit and protection of the owners and lessees for the time being of the said premises (which owners and lessees are represented by Royal Exchange Assurance hereinafter in this section called "the owner") the following provisions shall unless otherwise agreed in writing between the Central Company and the owner apply and have effect (that is to say):—

For protection of owners and lessees of 29 and 30 High Holborn.

- (1) Before commencing the construction or alteration of any portion of either of the Subways Nos. 14 and 15 by this Act authorised within a distance of twenty-five feet measured horizontally from any part of the said premises the Central Company shall deliver to the owner plans and

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sections of the works proposed to be executed with specifications describing the proposed manner of executing the same and if within twenty-eight days from such delivery the owner does not intimate in writing to the Central Company his requirements if any with reference thereto the owner shall be deemed to have approved thereof :

- (2) All such works shall be executed in accordance with plans sections and specifications approved by the engineer of the owner (in this section referred to as "the engineer") or in case of difference determined by arbitration as hereinafter in this section provided and to the reasonable satisfaction of the engineer and in such way as to avoid injury to the said premises of the owner by settlement or otherwise :
- (3) The Central Company shall execute all protective works within the powers of the Central Company and take all such precautions as shall be reasonably required by the engineer for insuring the safety of the said premises of the owner :
- (4) The Central Company shall during the construction of the said works give the engineer all reasonable facilities for inspecting the said works and if the engineer shall be of opinion that the construction of such works or other operations of the Central Company within twenty-five feet of the said premises are attended with danger to the said premises the Central Company shall forthwith execute all such temporary or other works as may be reasonably necessary for the purpose of preventing damage or injury to the said premises :
- (5) The Central Company shall not under the powers of this Act underpin or strengthen the said premises unless such underpinning or strengthening be reasonably necessary for the protection of the said premises and in the event of such underpinning or strengthening being agreed upon by the Central Company and the owner or being determined upon by arbitration as hereinafter in this section provided the same shall

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be carried out under the supervision if given A.D. 1930.
of the engineer :

- (6) The Central Company shall on demand pay to the owner the reasonable costs of and relating to the employment by the owner of the engineer for the purpose of this section :
- (7) If any difference shall arise between the Central Company and the owner under the provisions of this section the same shall be referred to and determined by an arbitrator to be agreed upon between the Central Company and the owner or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference :
- (8) The provisions of this section shall be in addition to and not in derogation of any right conferred upon the owner by this Act or by any Act incorporated therewith.

57. For the protection of the trustees of Saint Clement Dane's Holborn Estate Charity or other the owners for the time being of the protected premises (in this section referred to as "the owners") the following provisions shall unless otherwise agreed in writing between the Central Company and the owners apply and have effect (that is to say):—

For protection of trustees of St. Clement Dane's Holborn Estate Charity.

(1) In this section—

“The protected premises” means and includes the properties numbered on the deposited plans 6 7 8 9 10 and 11 in the metropolitan borough of Holborn ;

The expression “the prescribed distance” means the distance of twenty-five lineal feet measured in a horizontal plane from any part of the protected premises :

(2) Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the Central Company shall not enter upon take or use any part of the protected premises but the Central Company may purchase and take and the owners shall sell and grant accordingly

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so far as their interest in the protected premises extends an easement or right of constructing maintaining and using (subject to the provisions of this Act) Work No. 10 and Subway No. 16 and the works connected therewith or incidental thereto by this Part of this Act authorised :

- (3) The Central Company shall pay to the owners for the easement or right which they may acquire under the provisions of this section such consideration as shall be agreed upon or as may be fixed in the event of difference by arbitration in manner provided by the Lands Clauses Acts as varied by this Act with respect to the settlement of disputed compensation :
- (4) Before commencing to construct any work by this Part of this Act authorised within the prescribed distance the Central Company shall give to the owners not less than twenty-one days' notice in writing of their intention to commence the work accompanied by plans and sections of the works proposed to be executed within the prescribed distance :
- (5) All works constructed under the powers of this Part of this Act within the prescribed distance shall be executed to the reasonable satisfaction of the owners in accordance with the said plans and sections and so as not unreasonably to obstruct the access to or egress from the protected premises or any part thereof :
- (6) The owners may appoint an engineer who shall during the construction thereof at all reasonable times on giving reasonable previous notice have free access to any works to be constructed under the powers of this Part of this Act within the prescribed distance for the purpose of inspecting those works and every reasonable facility shall be afforded to him by the Central Company for that purpose :
- (7) The Central Company shall on demand pay to the owners the reasonable costs and expenses incurred by them in connection with the

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inspection of the works by the engineer appointed under the provisions of this section : A.D. 1930.

- (8) In addition to the provisions in this section contained the owners shall be entitled to the benefit of any general provisions contained in or incorporated with this Act for the protection of owners of property in relation to damage resulting from the construction maintenance working and use of any of the works authorised by this Part of this Act :
- (9) Any dispute or difference which may arise between the owners and the Central Company under the provisions of this section (other than under the provisions of subsection (3) hereof) shall be referred to and settled by a single arbitrator to be agreed between the owners and the Central Company or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party after notice in writing to the other and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to the reference.

58. For the protection of Holborn and Frascati Limited (in this section called "the restaurant company") the lessees of the building known as the Holborn Restaurant the following provisions shall unless otherwise agreed in writing between the restaurant company and the Central Company be observed and have effect (that is to say) :—

For protection of Holborn and Frascati Limited.

- (1) In the construction of the enlargement of the tunnels of the railway of the Central Company (being Work No. 10 authorised by this Part of this Act) the Central Company shall not construct the enlarged tunnels within a less distance than one hundred feet from the said Holborn Restaurant measured horizontally from the nearest point of the front wall (above the street level) of the said restaurant without the consent of the restaurant company which consent shall not be unreasonably withheld :
- (2) If any difference shall arise between the Central Company and the restaurant company under

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the provisions of this section the same shall be referred to and determined by an arbitrator to be agreed upon between the Central Company and the restaurant company or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject as aforesaid the provisions of the Arbitration Act, 1889 shall apply to any such reference.

PART V.

CITY COMPANY AND DISTRICT COMPANY—SUBWAY.

Power to
City Com-
pany and
District
Company
to make
subway.

59. Subject to the provisions of this Act the City Company and the District Company or either of them may make and maintain in the lines and according to the levels shown on the deposited plans and sections the subway in this Part of this Act described with all necessary and convenient stations platforms lifts escalators inclines stairs approaches passages subways tunnels sidings lay-byes stagings buildings sewers drains pipes wires apparatus plant depots 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 and for any other purposes connected with their respective undertakings and in connection with the said subway the City Company and the District Company or either of them may construct and maintain entrances steps lifts escalators shafts passages inclines and other approaches and conveniences connecting the said subway with the surface of the pavements or carriageways adjoining the same or with the platforms of stations :

Provided always that (except as expressly provided by this Act) nothing in this Act shall authorise the City Company or the District Company to enter upon take or use the surface of any public street or road but (subject as aforesaid) the City Company and the District Company or either of them may enter upon take use and appropriate the subsoil and undersurface

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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 subway by this Part of this Act authorised without being required to purchase the same or any easement therein or thereunder or to make any payment therefor. A.D. 1930.

60. The subway hereinbefore referred to and authorised by this Part of this Act will be situate in the city and county of London and is— Descrip-
tion of
subway.

Subway No. 12 A subway commencing under the roadway of King William Street at a point 50 yards or thereabouts measured in a northerly direction from the north side of Monument Street at its junction with King William Street and 27 yards or thereabouts measured in an easterly direction from the east side of Crooked Lane at its junction with King William Street and terminating under King William Street at a point 40 yards or thereabouts measured in a north-westerly direction from the west side of Clements Lane at its junction with King William Street and 17 yards or thereabouts measured in a southerly direction from the west side of Nicholas Lane at its junction with the east side of King William Street.

61. The provisions contained in the sections of the City Act of 1903 which are mentioned in the Fourth Schedule to this Act are (subject to any amendment or variation by this Act) incorporated with and form part of this Part of this Act and shall so far as applicable and not inconsistent with the provisions of this Act extend and apply to the subway by this Part of this Act authorised to the roads under and along which the same is to be made to the lands subsoil easements and rights by this Act authorised to be acquired by the City Company and the District Company or either of them in respect thereof and to 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 had been expressly Incor-
porating
certain
provisions
of existing
Act.

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A.D. 1930. re-enacted in this Part of this Act with reference
thereto respectively :

Provided that for the purpose of such incorporation the expression "the company" where used in those sections shall where the context so requires mean and include the City Company and the District Company or either of them as the case may be and that the said section shall be read and construed as if the subway by this Part of this Act authorised had been mentioned or referred to therein instead of the railway or the railways and that in construing for the purposes of this Part of this Act section 72 of the City Act of 1903 the expression "the protected companies" shall include the London Power Company Limited and any company or local authority for the time being authorised to supply electricity under the provisions of the Electricity (Supply) Acts 1882 to 1928 which may have lawfully laid electric mains within the limits of deviation shown on the deposited plans before the commencement of the construction of the subway by this Part of this Act authorised as fully as if that company or local authority were one of the protected companies in such section named.

Breaking
up surface
of streets.

62.—(1) Subject to the provisions of this Act the City Company and the District Company or either of those companies may for the purpose of constructing the subway by this Part of this Act authorised and the works and conveniences connected therewith respectively enter upon open break up and interfere with so much of the surface of the following streets roadways footways and places in the city of London as is within the limits of deviation of the said subway that is to say King William Street Cannon Street and Gracechurch Street at the junction of those streets without being required to purchase any part of the surface or under-surface of such streets roadways and footways or any easement in or through the same or to make any payment therefor.

(2) Before breaking up or interfering with any portion of the surface of the said roadways and footways under the powers of this section the City Company and the District Company or either of them as the case may be shall give to the Minister of Transport

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not less than one month's previous notice in writing of its intention so to do and shall also give not less than fourteen days' notice in writing to the town clerk of the city of London and to the Commissioner of City Police and make such arrangements with the town clerk and the said commissioner as may be necessary so as to cause as little interference with traffic as may be reasonably possible.

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(3) Any opening made under this section in any street shall be timbered over by the City Company and the District Company or either of them so as to permit the free and uninterrupted passage thereover of persons and vehicles between the hours of eight a.m. and seven p.m. on every week-day except Saturday and eight a.m. and two p.m. on Saturdays or such other hours as may be agreed between the City Company and the District Company or either of them on the one hand and the corporation on the other hand.

(4) Save as aforesaid (and except for the purpose of making trial borings or altering or diverting sewers pipes cables wires and other works) nothing in this Act contained shall empower the City Company and the District Company or either of them as the case may be to break up or interfere with the surface of any street for the purpose of constructing maintaining or using the subway by this Part of this Act authorised Provided always that the said companies shall not alter divert or otherwise interfere with the pipes cables wires or other works of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

63. In the execution of the subway by this Part of this Act authorised the City Company and the District Company or either of them as the case may be may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon.

Power to deviate laterally.

64. In the execution of the subway by this Part of this Act authorised the City Company and the District Company or either of them as the case may be may deviate vertically from the levels thereof marked

Power to deviate vertically.

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A.D. 1930. — on the deposited sections to such an extent as may be found necessary or convenient.

Period for completion of subway.

65. If the subway by this Part of this Act authorised is not completed within the period expiring on the thirty-first day of October one thousand nine hundred and thirty-five then on the expiration of that period the powers by this Part of this Act granted to the City Company and the District Company for making and completing the subway or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Subway to form part of undertaking.

66. The subway by this Part of this Act authorised shall form part of the undertaking of the City Company or of the District Company as may be agreed between those companies and the cost thereof shall be borne in such manner as may be so agreed.

Exhibition of placards.

67. The City Company and the District Company or either of them shall not affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Part of this Act within the city of London or upon any building or hoarding erected thereon and whether during or after the construction of the works within view of any public street within the city of London any placards or advertisements other than those relating to their respective railways unless the same shall have been approved in writing by the corporation and if any such placard or advertisement be affixed or exhibited without such approval the corporation and their authorised officers may remove the same but this provision shall not prevent the City Company or the District Company from exhibiting any placards giving information as to the traffic of those companies and of the companies associated with them or general information in connection therewith and with the undertakings of such companies.

For protection of City Lines and Extensions Railway.

68. For the protection of the Metropolitan Railway Company and the Metropolitan District Railway Company as owners of the City Lines and Extensions Railway authorised by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 (hereinafter in this section referred to as "the protected companies") the following provisions shall unless otherwise agreed

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in writing between the protected companies and the company apply and have effect (that is to say):— A.D. 1930.

(1) In this section—

“The authorised works” means and includes Subway No. 12 by this Part of this Act authorised and the works and conveniences of whatsoever nature connected therewith or incidental thereto;

“The company” means and includes the City Company and the District Company or such one of those companies as shall make the authorised works;

“The protected railway” means and includes the railway and works known as the said City Lines and Extensions Railway;

“The protected station” means the Monument Station on the protected railway;

“The engineer” means the respective engineers for the time being of the protected companies or if such engineers fail to agree then an engineer to be appointed by the standing arbitrator of the Metropolitan and District Joint Committee constituted under the said Act of 1879:

(2) Notwithstanding anything contained in this Act or shown upon the deposited plans and sections the company shall not enter upon take use or interfere with either permanently or temporarily the protected railway or the protected station or any of the lands works or property belonging to the protected companies or either of them without their consent in writing but the company may purchase and take and the protected companies shall sell and grant accordingly so far as their interest in the said lands extends an easement or right of constructing maintaining and using the authorised works subject to and in accordance with the provisions of this section:

(3) The company shall pay to the protected companies for the easement or right which they may acquire under the provisions of this

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section such consideration as may be agreed upon or as may be fixed in the event of difference by arbitration in the manner provided by the Lands Clauses Acts as varied by this Act with respect to the settlement of disputed compensation :

- (4) The company shall twenty-eight days before they commence the construction of such part of the authorised works as shall or may pass under or be within a distance of one hundred lineal feet of the protected railway or the protected station furnish to the protected companies proper and sufficient plans sections and specifications of the works proposed to be made by the company under the protected railway or the protected station or within a distance of one hundred lineal feet thereof and such plans sections and specifications shall be settled and agreed upon between the engineer of the company and the engineer or in case of their failing to agree within such twenty-eight days or of any difference arising between them the same shall be determined by arbitration as in this section provided and such works shall be carried into effect only in accordance with such agreement or determination and under the supervision and to the reasonable satisfaction of the engineer and at the costs charges and expenses in all respects of the company and when commenced shall be proceeded with as far as may be without delay :
- (5) The company shall at all times maintain the authorised works so far as the same affect the protected railway or the protected station in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer and if and whenever the company fail so to do the protected companies may after forty-eight hours' notice to the company (which notice shall not be necessary in case of emergency) make and do in and upon as well the lands or property

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of the company as the lands belonging to them either solely or jointly with the District Company all such works repairs and things as the protected companies may reasonably think requisite and the sum from time to time certified by the engineer to be the reasonable amount of their expenditure in that behalf shall be repaid to them by the company Provided always that in the event of any difference between the engineer and the engineer of the company as to the amount of such expenditure the same shall be determined by arbitration in manner in this section provided The engineer and his duly authorised assistants shall at all reasonable times have free access (at their own risk as to accidents) to the authorised works and every reasonable facility shall be afforded them for the inspection thereof and every reasonable notice which they may give touching any defect or want of repair shall immediately or as soon as possible be complied with by the company :

- (6) If during and by the execution or user of the authorised works the protected railway or the protected station shall be injured or damaged such injury or damage shall be forthwith made good by the company at their own expense to the reasonable satisfaction of the engineer or in the event of their failing so to do the protected companies may make good the same and recover the costs thereof against the company and in the event of any dispute arising under this subsection the same shall be settled by arbitration as in this section provided :
- (7) The company shall not in making and maintaining or working or using the authorised works in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the protected railway or the protected station or any traffic thereon and if at any time or times hereafter the free and uninterrupted and safe user of the protected railway or

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the protected station or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the company shall pay to the said Metropolitan and District Joint Committee all reasonable costs and expenses to which the protected companies may be put as well as full compensation for the loss sustained by them by reason of any such obstruction hindrance or interference:

- (8) All reasonable fees costs charges and expenses in respect of any of the matters in this section contained shall be borne and on demand paid by the company who during the construction renewal or repair of the authorised works under or adjacent to the protected railway or the protected station shall bear and on demand shall pay to the protected companies any reasonable additional costs charges and expenses of the engineer and his assistants and the expense of the employment by the protected companies of a sufficient number of inspectors or watchmen to be appointed by them for watching the protected railway and the protected station with reference to and during the execution of the authorised works and for preventing as far as may be all interference obstruction danger or accident from any of the operations of the company or from the acts or defaults of their contractors or of any person in their employ or otherwise:
- (9) If at any time the engineer shall be of opinion that the construction or maintenance of the authorised works or other operations of the company are or may be attended with danger to any portion of the protected railway or of the protected station the company shall at their own expense forthwith construct such temporary works and adopt such measures and precautions as the engineer may consider reasonably necessary for the purpose of preventing damage or injury thereto:
- (10) The company shall so construct their electric circuits and other works of all descriptions and

shall so work the authorised works in all respects as to prevent any injurious interference by induction or otherwise with the electric circuits from time to time used or intended to be used on the protected railway or with the currents in such circuits Provided that as regards electric circuits erected or laid down on the protected railway after the construction of the authorised works this subsection shall only apply if reasonable and proper precautions have been taken in the erection or laying down of such circuits and if they have not been erected or laid down in unreasonably close proximity to the authorised works :

- (11) Notwithstanding anything in this Act contained the company shall be responsible for and make good to the said joint committee all costs losses damages and expenses which may be occasioned to the protected companies or to any of their works lands or property or to the traffic on the protected railway or otherwise by reason of the construction maintenance failure working or user of the authorised works or of any act or omission or default of the company or of any of the persons in their employ or of their contractors or others and the company shall effectually indemnify and hold harmless the protected companies from all claims and demands upon or against them by reason of such construction maintenance failure working or user and of any such act or omission or default :
- (12) Any additional expense which the protected companies may reasonably incur in reconstructing repairing or maintaining the protected railway or the protected station by reason of the construction or existence of the authorised works shall be paid by the company :
- (13) The fact that any work or thing has been done or executed in accordance with any plan not objected to or approved by the protected companies or with any requirement of the protected companies or under the supervision of the engineer or in accordance with any

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direction or award of an arbitrator shall not excuse the company from any liability for damage caused to the protected railway or the protected station or affect any claim by the protected companies for injury caused to the protected railway or the protected station or the traffic thereon :

(14) In addition to the provisions in this section contained the protected companies shall be entitled to the benefit of any general provisions contained in or incorporated with this Act for the protection of owners of property in relation to damage resulting from the construction maintenance working and use of the authorised works :

(15) Any question or difference which may arise between the company and the protected companies as to any matters under or arising out of this section (other than subsection (3) thereof) or between their respective engineers as to the reasonableness of any requirement of the protected companies or of the engineer or otherwise shall be 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 determination.

PART VI.

GENERAL PROVISIONS AS TO LANDS AND WORKS.

Application
of this Part
of Act and
further
interpreta-
tion.

69. This Part of this Act shall so far as applicable apply to the taking and user of lands and easements and to the execution of works under the powers of this Act by the several companies upon whom powers for those purposes are conferred by this Act and in this Part of this Act the expression "the company" wherever used means—

In relation to Part II of this Act and also to the properties described in Part I of the Fifth Schedule to this Act and in Part I of the Sixth Schedule to this Act the London Company;

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In relation to Part III of this Act and also to the properties described in Part II of the Sixth Schedule to this Act the District Company; A.D. 1930.
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In relation to Part IV of this Act and also to the properties described in Part II of the Fifth Schedule to this Act and in Part III of the Sixth Schedule to this Act the Central Company;

In relation to Part V of this Act the City Company and the District Company or either of those companies.

70. With respect to the properties shown on the deposited plans (other than public streets roads footways or places) which are described or referred to in the Fifth Schedule to this Act notwithstanding anything contained in this Act or shown on the deposited plans the company shall not be required to purchase or take the same or any part of the surface thereof but the company may purchase and take and the owners of and other persons interested in any such properties shall sell an easement or right of using the subsoil and under-surface thereof for the purposes of the undertaking of the 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. Owners may be required to grant easements only under certain properties.

71. And whereas in the construction of the railways widenings subways and works authorised by this Act or otherwise in the exercise by the company of the powers of this Act it may happen that portions only of certain properties shown on the deposited plans may be sufficient for the purposes of this Act 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 Sixth Schedule to this Owners may be required to sell parts only of certain lands and buildings.

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A.D. 1930. — Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the 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 company the portions only of the properties so required without the company being obliged or compellable to purchase the whole or any greater portion thereof the company paying for the portions so required by it and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Period for compulsory purchase of lands. 72. The powers of the company for the compulsory purchase of lands and easements for the purposes of this Act shall cease on the thirty-first day of October one thousand nine hundred and thirty-three.

Plans &c. to be approved by Minister of Transport. 73.—(1) The London Company the Central Company and the City Company shall in respect of so much of their respective railways and works as is to be constructed underground from time to time submit for the approval of the Minister of Transport plans sections and other details of their proposals with respect to (a) permanent way tunnels platforms stairs lifts and other communications (b) rolling stock (c) lighting and (d) ventilation and the railways rolling stock and other works shall be constructed reconstructed and maintained only in accordance with plans sections and other details as approved by the Minister of Transport.

(2) For the purposes of this section the expression "works" shall be deemed to include any works which the London Company the Central Company or the City Company may propose hereafter to construct underground in connection with their respective existing railways.

Compensation for damage by working of railways and subways. 74.—(1) In addition to the provisions of the Acts incorporated herewith with respect to compensation for lands taken or injuriously affected the 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 railway where constructed in tunnel or of any of the subways by this Act authorised (including the working of lifts escalators

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and any other works in connection with any part of the railway which is constructed in tunnel or in connection with the subways) notwithstanding that no part of the property of such owner lessee or occupier is taken by the company Provided that all claims for compensation under this section shall be made within two years from the date of the opening for public traffic of that portion of the railway which is constructed in tunnel or the opening of the subway (as the case may be) which is alleged to cause such injurious affection 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.

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(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.

75. 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 varied by this Act with reference to the taking of lands otherwise than by agreement.

As to private rights of way over lands taken compulsorily.

76. The company and its 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 railways widenings subways and works as the case may be 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 Company to enter upon property for survey and valuation.

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Power to
make trial
borings.

77. The company may make trial borings at such places within the limits of deviation shown on the deposited plans of the railways subways and works as it shall think fit for the purpose of ascertaining the nature of the soil. Provided always that any such borings made by the company in any street shall be subject to such reasonable restrictions as to surface borings as the authority having the maintenance of that street may impose.

Use of
sewers for
removing
water.

78. The company may subject to the provisions of this Act use for the discharge of any water pumped or found by it during the construction of any of the railways widenings subways and works by this Act authorised any available stream or watercourse or any sewer or drain of the corporation of the city of London or the London County Council or the Middlesex County Council or the Hertfordshire County Council or the council of any metropolitan borough or the local authority of any district in the county of Middlesex or the county of Hertford (as the case may be) in or through which any of the said railways widenings subways and 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 shown on the deposited plans:

Provided always that the company shall not make any opening into any such sewer or drain save in accordance with plans reasonably approved by and under the superintendence (if the same shall be given) of the corporation of the city of London or the London County Council or the Middlesex County Council or the Hertfordshire County Council or the council of any metropolitan borough or local authority (as the case may be) in whom the sewer or drain shall be vested. Provided further that the company shall not make any opening in or discharge water directly into any sewer of the London County Council or into any sewer communicating therewith except with the consent of the London County Council (which consent shall not be unreasonably withheld) and subject to such reasonable conditions as to the making number and position of such openings the quantity of water to be discharged the time of such

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discharge and otherwise as may be prescribed by the London County Council. A.D. 1930.

79.—(1) The tribunal to which any question of disputed purchase money or compensation under this Act is referred 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 sufficient particulars and in sufficient time 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 it objects 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 under all the circumstances of the case. Provided also that this subsection 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 to the effect of this section.

Costs of arbitration in certain cases.

(2) Section 34 of the Lands Clauses Consolidation Act 1845 for the purposes of its application to this Act 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 (namely):—

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

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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.

Compensation in case of recently altered buildings acquired by company.

80. In settling any question of disputed purchase money or compensation payable under this Act by the 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-nine 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.

Increase of Rent and Mortgage Interest (Restrictions) Acts not to apply.

81.—(1) Nothing contained in the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 or the enactments amending or extending that Act shall prevent the company from obtaining possession of any lands houses or property delineated on the deposited plans which are vested in or which may under the powers of this Act be acquired by the company and the possession of which is required by it for the purpose of exercising its powers under this Act.

(2) The company shall pay to the tenant or occupier of every dwelling-house to which the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 or the enactments amending or extending that Act would have applied but for subsection (1) of this section who is dispossessed under the provisions of this Act such reasonable allowance on account of his expense in removing as shall failing agreement between the tenant or occupier and the company be determined on the application of either party by a court of summary jurisdiction whose decision shall be final.

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82. 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 railways widenings subways or works authorised by this Act shall be constructed except so far as the level of such road or highway is permanently altered.

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

83. The company may acquire by agreement and hold for the purposes of its undertaking any interest less than the fee simple in any lands or any interest in or any easement in through under or over any lands which it is authorised to acquire under the powers of this Act or any former Act relating to it.

Power to acquire leasehold interests and use lands held on lease.

84. The provisions of section 99 (Power to lease &c. lands) of the London Act of 1926 shall extend and apply to any lands or premises acquired by the company under the powers of this Act and sections 127 to 131 (inclusive) of the Lands Clauses Consolidation Act 1845 shall not apply to such lands and premises or any part thereof.

Application of section 99 of London Act of 1926.

85. The following provisions for the protection of the London County Council (in this section called "the council") shall unless otherwise agreed in writing between the company and the council have effect (that is to say) :—

For protection of London County Council.

- (1) (a) Before commencing to construct any part of the railways subways or works by this Act authorised which shall or may pass under or within a distance of one hundred feet of any building open space subway tramway or any other property of the council (hereinafter referred to collectively as "the property of the council") the company shall deliver to the council plans sections and specifications of the works as proposed to be executed by the company under or within such distance of the property of the council and if at the expiration of twenty-one days from such delivery the plans sections and specifications are not approved by the council there shall be deemed to be a difference and such difference shall unless otherwise agreed be settled in the manner hereinafter provided and such works shall be executed in all respects

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in accordance with plans sections and specifications approved by the council or settled as aforesaid to the reasonable satisfaction of the council and at the costs charges and expenses in all respects of the company and when commenced shall be proceeded with with all reasonable speed ;

(b) The company shall at all times maintain such part of the works of the company under or within one hundred feet of any part of the property of the council in substantial structural repair and good order and condition to the reasonable satisfaction in all respects of the council and if and whenever the company fail so to do the council may make and do in and upon as well the works and lands of the company as their own lands and works all such works and things as the council may reasonably think requisite and the sum from time to time certified by the council to be the reasonable amount of the council's expenditure in that behalf shall be repaid to the council by the company The council shall at all reasonable times have free access to the works of the company where the said works pass under or within one hundred feet of the property of the council and every reasonable facility shall be afforded them for the inspection thereof and every reasonable notice which they may give touching any defect or want of structural repair shall forthwith be complied with by the company ;

(c) If during and by the execution of the railways subways or works of the company any part of the property of the council or any of the works or conveniences connected therewith are injured or damaged such injury or damage shall be forthwith made good by the company or in the event of their failing so to do the council may make good the same and recover the costs thereof against the company ;

(d) If the company in constructing Subways Nos. 16 and 17 Work No. 10 or any other works

in connection therewith shall alter damage or in any way interfere with existing pipe subways of the council in Kingsway High Holborn and Southampton Row they shall at their own expense make good such pipe subways to the satisfaction of the council or construct adequate substituted works or otherwise as the council may reasonably require and the company shall effectually indemnify the council from all claims and demands upon or against the council by reason of such alteration damage or interference and shall likewise make good to the council any loss of revenue sustained in consequence of the operations of the company in respect of such existing pipe subways;

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(e) The company shall not enter upon take use or in any way interfere with any tramway of the council or with the tramway subway of the council situate beneath Kingsway High Holborn and Southampton Row;

(f) The company shall not in making maintaining working or using the railways subways widenings or any other works by this Act authorised in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the tramways of the council or any traffic on such tramways and if at any time hereafter such free uninterrupted and safe user of the said tramways or any traffic thereon is obstructed hindered or interfered with the company shall pay to the council such damages as the council sustain by reason thereof;

(g) If the company shall under the powers of this Act break up or in any way interfere with the surface of any street in proximity to the tramways of the council they shall cause any such works of breaking up or interference and any structures erected in accordance therewith to be adequately illuminated at night and at all other reasonable times;

(h) All reasonable fees costs charges and expenses in respect of any of the matters in the

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previous paragraphs of this subsection contained shall be borne and on demand paid by the company and during the construction renewal or repair of the railways subways or works under or within one hundred feet of the property of the council the company shall bear and on demand pay to the council the expense of the employment by them of a sufficient number of inspectors or watchmen to be appointed by them for watching the property of the council or any part thereof and for preventing as far as may be all interference obstruction danger and accident arising from any of the operations of the company or from acts or defaults of the contractors of the company or of any person in their employ or otherwise;

(i) The company shall be responsible for and make good to the council all costs losses damages and expenses which may be occasioned to the council or to the property of the council by reason of the construction maintenance or failure of the railways subways or works or of any act or omission of the company or of any person in their employ or of their contractors or others and the company shall effectually indemnify and hold harmless the council from all claims and demands upon or against them by reason of such construction maintenance or failure and of any such act or omission;

(j) The approval by the council of any plans or the supervision by the council of any work under the provisions of this subsection shall not exonerate the company from any liability or affect any claim for damages under this subsection or otherwise:

- (2) If the company in constructing the railways subways or works by this Act authorised shall alter damage or in any way interfere with the existing sewers of the council respectively known as the Metropolitan Sewage Manure Works sewer the Fleet sewer and the London Bridge (main line) sewer they shall pay to the council from time to time any additional cost expenses or

charges which the council may be put to or incur in the maintenance or management of any new altered or substituted sewer which may be necessary in consequence of the company's works. The provisions of this subsection shall be in addition to and not in derogation of any other provisions of this Act: A.D. 1930.

- (3) The company shall not without the consent of the council construct under any street or roadway in the administrative county of London (hereinafter in this section called "the county") any part of the railways subways or works by this Act authorised which will be within twenty-five feet of the surface of such street or roadway except in accordance with plans and sections submitted to and approved by the council such approval not to be unreasonably withheld:
- (4) Upon the submission of any plans and sections under the foregoing provisions of subsection (3) of this section and before approving the same the council shall with all reasonable dispatch consult with the council of the metropolitan borough in which the works are or will be situate and for this purpose the council shall afford such council reasonable facilities for inspecting the plans and sections relating to such works:
- (5) The entrances or exits to or from the subways booking halls or any station constructed or reconstructed by the company under the powers of this Act from or to any public street in the county shall be so designed and of such extent as to secure the least practicable inconvenience to the public traffic in such street and before the works are commenced plans thereof shall be submitted to the council for their approval and any difference arising between the company and the council respecting such plans shall be determined as hereinafter provided in this section:
- (6) The company shall not without the consent of the council open or make any ventilators air shafts or any other similar openings in any public roadway or footway within the county:

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- (7) The company shall not without the consent of the council construct or erect in the county in connection with the subways or works by this Act authorised any building structure or erection in or on any public roadway or footway above the surface of the ground :
- (8) The company shall not without the consent of the council make any communication between the subways or works by this Act authorised and the interior of any building other than a building wholly used by the company for railway purposes :
- (9) The company shall not execute or commence to execute the construction of any subway or work by this Act authorised under any street so as to prevent the laying of pipes and mains in such street until they have given to the council one month's previous notice in writing of their intention to commence the same and if within one month after service of the said notice the council shall reasonably so require the company shall at their own expense construct under such subway or work a cross pipe subway or cross pipe subways for the reception or diversion of pipes and mains of a capacity which shall be fifty per cent. in excess of the capacity sufficient to accommodate existing pipes and mains and shall construct at each end of any such cross pipe subway a shaft or other form of construction adequate in size for the introduction of pipes and mains into such cross pipe subway Provided that all such cross pipe subways shafts or other form of construction as aforesaid shall be constructed in accordance with plans sections and specifications previously submitted to and reasonably approved by the chief engineer of the council and when constructed shall thereafter vest in the council Provided always that the company shall only be required to construct such cross pipe subway shaft or other form of construction if the same shall form part of a pipe subway constructed or proposed to be constructed by the council or alternatively are

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reasonably necessary for the deviation of pipes or mains regard being had to the extent of the works to be carried out by the company under the street :

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The provisions of the London County Council (Subways) Act 1893 shall extend and apply to any such pipe subways and shafts constructed under the powers of this Act as well during as after the construction thereof as if such pipe subways and shafts had been included in the expression "subway" in the said Act of 1893 and all byelaws for the time being in force thereunder shall extend and apply to such pipe subways and shafts. Provided also that for the purposes of the application of the said Act of 1893 to such pipe subways and shafts the Metropolitan Water Board and the London Hydraulic Power Company shall be deemed to be water companies :

- (10) As soon as reasonably practicable after the completion of any works under any street in the county or under any property of the council which have been executed by the company under the powers of this Act the company shall at their own expense furnish the council with a map or plan of such works as constructed :
- (11) Any dispute or difference which may arise between the council and the company with respect to the provisions of subsections (1) (3) and (5) of this section shall be settled by arbitration by a civil engineer to be appointed as arbitrator by the President of the Institution of Civil Engineers.

86. The following provisions for the protection and benefit of the county council of the administrative county of Middlesex (in this section called "the county council") shall unless otherwise agreed in writing between the London Company or the District Company (as the case may be) and the county council have effect (that is to say) :—

For protection of Middlesex County Council.

- (1) The London Company shall construct the bridge carrying Railway No. 2 by this Act authorised

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over the North Circular Road in the urban district of Southgate with three spans and the bridge shall have a width between the abutments of not less than one hundred and twenty feet measured on the square and a headway throughout of not less than sixteen feet six inches and the central span shall be over the carriageway and shall have a width not less than fifty feet measured on the square:

- (2) The London Company or the District Company (as the case may be) shall give to the county council twenty-one days' previous notice in writing of their intention to commence the construction of any of the bridges for carrying any of the railways or widenings by this Act authorised over any street or roadway in the administrative county of Middlesex (in this section called "the county") or any such street or roadway over any such railway or widening by leaving such notice at the office of the county council with plans and drawings of the works and if the county council fail to signify their disapproval within twenty-one days after the delivery of the said plans and drawings they shall be deemed to have approved the same. If the county council shall signify their disapproval of the said plans or drawings and the London Company or the District Company (as the case may be) and the county council fail to agree with regard thereto the difference shall be referred to arbitration and the London Company or the District Company (as the case may be) shall not commence to execute the construction of any such bridge until the plans and drawings thereof have been approved by the county council or such difference has been determined in accordance with this section:
- (3) The said bridges shall be constructed in accordance with the plans and drawings thereof so approved by the county council or in case of difference by the arbitrator hereinafter referred to and under the supervision (if given) and to the reasonable satisfaction of the county council:

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(4) The London Company shall construct—

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(a) a bridge to carry Railway No. 2 by this Act authorised over Bounds Green Brook having a span of not less than twenty feet; and

(b) a bridge to carry Railway No. 3 by this Act authorised over Pymmes Brook having a span of not less than twenty-five feet:

(5) The London Company shall not without the consent of the county council construct under any street or roadway in the county any part of the railways subways or works by this Act authorised which will be within twenty-five feet of the surface of such street or roadway except in accordance with plans and sections submitted to and approved by the county council such approval not to be unreasonably withheld:

(6) The London Company shall not (except with the approval of the local and road authority) construct or erect any station or buildings in advance of the general building line existing at the passing of this Act and in the case of the stations at Cockfosters Road in the urban district of Enfield East Barnet Road and Bowes Road in the urban district of Southgate the London Company shall (except with the approval of the local and road authority) conform to the building line shown on the town plans existing at the passing of this Act:

(7) Any difference which may arise from time to time under the provisions of this section between the county council and the London Company or the District Company (as the case may be) shall be referred to and determined by an engineer to be agreed on between the county council and the London Company or the District Company (as the case may

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be) or failing agreement 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 certain metropolitan borough councils.

87. The following provisions for the protection and benefit of each of the following authorities (namely):—

The mayor aldermen and councillors of the city of Westminster;

The mayor aldermen and councillors of the royal and metropolitan borough of Kensington;

The mayor aldermen and councillors of the metropolitan borough of Chelsea;

The mayor aldermen and councillors of the metropolitan borough of Holborn;

The mayor aldermen and councillors of the metropolitan borough of Paddington;

The mayor aldermen and councillors of the metropolitan borough of St. Marylebone;

The mayor aldermen and councillors of the metropolitan borough of St. Pancras;

respectively (each of whom is in this section referred to as "the council") shall unless otherwise agreed in writing between the company and the respective council apply and have effect (that is to say):—

(1) In this section—

the expression "the company" means—

in relation to the railways subways and works authorised by Part II of this Act the London Company;

in relation to the subways and works authorised by Part IV of this Act the Central Company;

the expression "the borough" means the city or metropolitan borough within the jurisdiction of the council;

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the expression "the works" means the railways subways and works which the company is by this Act authorised to make in the borough; A.D. 1930.

the expression "consent" means consent in writing; and

the expression "approve" or "approval" means approval in writing:

- (2) Wherever in this section provision is made with respect to consent or approval of the council such consent or approval may be given under the hand of their town clerk subject to such reasonable terms and conditions as the council may require but shall not be unreasonably withheld:
- (3) Before commencing to construct any part of the works which will involve interference with a highway in the borough or repairable by the council the 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 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 inconvenience to the public and the works shall not be constructed and the surface of the highway shall not be occupied by the company except at the time to the extent and in accordance with conditions agreed between the company and the council or in default of agreement determined by arbitration as hereinafter in this section provided:
- (4) In the construction of any part of the works under a highway in the borough or repairable by the council no part of such works shall (except with the consent of the council) be so constructed as to interfere with the provision of proper means of drainage of the surface of any highway nor (except as aforesaid) be nearer than two feet six inches to the surface of any such highway except in the

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case of any stairway entrance or exit or other work approved by the council :

- (5) At least seven days before commencing any vertical borings from the surface of any part of any highway in the borough or repairable by the council the company shall serve notice in writing on the council of its intention to commence the same and such notice shall describe the place or places at which such borings are intended to be made and if within seven days after the service of such notice any objection is made by the council the matter shall (unless otherwise agreed) be determined by arbitration as hereinafter in this section provided before the boring is commenced but if no such objection is made the said borings may be proceeded with :
- (6) Except as by this Act expressly authorised or with the consent of the council the company shall not open or make any permanent openings or any ventilators air shafts or other similar openings in or erect or construct any structure or erection above the surface of the carriageway or footway of any highway in the borough or repairable by the council :
- (7) The works so far as they involve any serious interference with the movement of traffic in any highway in the borough or repairable by the council shall after the commencement thereof be carried on so far as reasonably practicable continuously day and night and the company shall take all such steps as may be reasonably necessary to reduce so far as possible the period of such interference :
- (8) The works shall be constructed and maintained by the company so as at all times to support not only the ordinary traffic and any exceptional traffic lawfully using the highways within the borough or repairable by the council but also any apparatus which the council or their contractors may reasonably 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 last-mentioned highways by reason of any defect or insufficiency of the strength of the works or any neglect properly and effectually to construct and maintain the same as aforesaid: A.D. 1930.

- (9) It shall be lawful for the engineer or surveyor or other officer of the council duly appointed for the purpose at all reasonable times to enter upon and inspect any of the works in or under any highway in the borough or repairable by the council or that may affect any property of the council during the execution thereof and the company shall give to such engineer or surveyor or officer all reasonable facilities for such inspection and if he shall be of opinion that the construction of the works is attended with danger to any highway sewer drain or work belonging to or under the jurisdiction or control of the council or repairable by them the company shall adopt such measures and precautions as may be reasonably necessary for the purpose of preventing any damage or injury thereto and any difference arising under this subsection shall be referred to arbitration as hereinafter in this section provided:
- (10) The company shall not alter disturb or in any way interfere with any property or works of the council or under their control or repairable by them or the access thereto without the consent of the council and any alteration diversion replacement or reconstruction of any such property or works that may be necessary shall be made by the council or the company as the former shall think fit and any costs and expenses reasonably incurred by the council in so doing shall be repaid to the council by the company:
- (11) The company shall not remove any soil or material from any highway in the borough

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except such as must be excavated in the carrying out of the works :

- (12) The company shall not except with the consent of the council deposit any soil subsoil or materials or stand any vehicle or plant on any highway within the borough or repairable by the council so as to obstruct the use of such highway by any person or except with the like consent deposit any soil or subsoil on any such highway except within a hoarding :
- (13) The company shall not discharge any water from any of the works into any sewer or drain vested in or under the control of the council except with the consent of the council and subject to such terms and conditions (including the taking of steps to remove so far as may be reasonably practicable from water so discharged any gravel soil or other solid substance or matter in suspension) as the council may reasonably impose :
- (14) Where any part of any highway repairable by the council shall have been broken up or disturbed by the company the company shall make good the subsoil foundations and surface of such highway to the reasonable satisfaction of the council Provided that the reinstatement of any such highway broken up or disturbed by the company shall (unless otherwise agreed) in the first instance be of a temporary nature only and the permanent reinstatement to the reasonable satisfaction as aforesaid of any such highway shall be carried out by the council and the reasonable cost incurred by the council in so doing shall be repaid by the company to the council :
- (15) It shall not be lawful for the company in the exercise of the powers of this Act to place any hoardings on any part of any highway in the borough 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

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provisions of the Metropolis Management Act 1855 or any amendment thereof and the company shall not exhibit or permit to be exhibited upon any such hoarding as aforesaid any advertisement or placard which is visible from any highway or public place in the borough (except advertisements or placards giving information to the public as to the traffic of the company and of the companies associated with it or general information in connection therewith and with the undertakings of such companies) unless the same shall have been approved by the council :

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- (16) The company shall make full compensation to the council for any subsidence of or damage to any highway sewer drain or other work vested in under the control of or repairable by the council or to any property of 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 :
- (17) Any difference which may arise from time to time under the provisions of this section between the council and the company shall be referred to and determined by an engineer to be agreed on between the council and the company or failing agreement 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 :
- (18) The provisions of this Act and of any Act incorporated therewith which are inconsistent with the provisions of this section shall not apply in the borough.

88. The following provisions for the further protection of the council of the city of Westminster (hereinafter in this section called "the city council") shall unless otherwise agreed in writing between the

For further protection of Westminster City Council.

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A.D. 1930. company and the city council have effect (that is to say) :—

(1) In this section—

the expression “the company” means—

in relation to the railways subways and works authorised by Part II of this Act the London Company;

in relation to the subways and works authorised by Part IV of this Act the Central Company;

the expression “the city” includes not only the city of Westminster but also any street beyond the city and under the jurisdiction or control of or repaired and maintained by the city council :

(2) If in the construction of Work No. 4 the company shall alter or in any way interfere with the city council's existing Green Park public lavatories and conveniences (in this subsection referred to as “the existing lavatory”) the company shall either at its own expense and to the reasonable satisfaction of the city council reconstruct in a position to be determined by the city council the existing lavatory with the same accommodation as that now provided at the existing lavatory and with such means of access to the reconstructed lavatories and conveniences (hereinafter in this subsection referred to as “the reinstated lavatory”) from the adjoining highway as the city council may approve or at the option of the city council shall pay to the city council the cost that would be incurred by the company on carrying out such works. Provided that except with the consent of the city council the existing lavatory shall not be disturbed or access thereto interfered with until the reinstated lavatory has been completed and made available for the use of the public. If before the commencement of Work No. 4 the city council give to the company notice in writing requesting the company when reconstructing the existing lavatory to provide

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at and in connection with the reinstated lavatory additional public lavatory accommodation to that provided at the existing lavatory the company shall when carrying out such work of reconstruction provide such additional lavatory accommodation so far as may be practicable and the city council shall repay to the company the expenses incurred by the company in so doing So soon as the reinstated lavatory and such additional public lavatory accommodation as aforesaid (if any) shall have been completed the same shall be taken over by and for all purposes be the property of the city council who shall thereafter at their own expense cleanse maintain ventilate and light the same :

- (3) Except with the previous consent of the city council the company in connection with the said works shall not under any part of any street within the city except under land owned or acquired by them construct or permit to be constructed any shop stall shop front show-case or other erection (other than a newspaper stall or telephone boxes) or any entrance or passage connecting with any premises other than stations of the company Provided that nothing in this subsection contained shall be deemed to derogate from the powers conferred upon the London County Council by the London Building Acts 1894 to 1928 or any amendment thereof :
- (4) Such parts of Work No. 3 and Work No. 9 as will when constructed form pedestrian subways leading directly from one street to another street or another point in the same street (hereinafter in this section referred to as "the pedestrian subways") shall be paved lighted cleansed and maintained by the company at its own expense to the reasonable satisfaction of the city council and such pedestrian subways shall for police and all other purposes but subject to the provisions of the next succeeding subsection of this section form part of the public ways within the city :

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- (5) The company shall open the pedestrian subways not later than 7 a.m. on every day except Sundays Good Friday and Christmas Day on which days it shall open them not later than 9 a.m. The company shall not close the pedestrian subways until after 12.30 a.m. on any night except on the night of a Sunday Good Friday or Christmas Day on which days it may close them after 11.30 p.m. :
- (6) The pedestrian subways shall not be of a less width throughout than eight feet Provided that if before the commencement of any such subways the city council give notice in writing to the company requesting the company to construct such subways of a greater width throughout than eight feet the company in constructing such subways shall comply with such request and the city council shall repay to the company any expense incurred by the company in complying with such request in excess of the expense which would have been incurred by the company if such subways had been constructed of a width of eight feet throughout :
- (7) In connection with the execution of Work No. 3 by this Act authorised the company shall to the reasonable satisfaction of the city council construct and for ever maintain the cover more particularly described in the section whereof the marginal note is "For protection of Saint George's Hospital" which cover will support the addition to the existing footway in Knightsbridge and Grosvenor Place and shall indemnify the city council against all costs charges damages and expenses incurred by them by reason of the failure of the company to carry out such obligation :
- (8) In this section the expression "consent" means consent in writing and the expression "approval" means approval in writing and wherever in this section provision is made with respect to the consent or approval of the city council such consent or approval may be

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given under the hand of their town clerk subject to such reasonable terms and conditions as the city council may require but shall not be unreasonably withheld : A.D. 1930.
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(9) Any difference which shall arise between the city council and the company under any of the provisions of this section shall be referred to an engineer to be agreed on between the city council and the company and failing agreement to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such reference :

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

89. The following provisions for the further protection of the mayor aldermen and councillors of the metropolitan borough of St. Marylebone (hereinafter in this section called "the council") shall unless otherwise agreed in writing between the London Company and the council have effect (that is to say) :— For further protection of St. Marylebone Borough Council.

(1) Such parts of Work No. 7 and Subway No. 9 situate within the metropolitan borough of St. Marylebone (hereinafter in this section called "the borough") as will when constructed form pedestrian subways leading directly from one street to another street or another point in the same street (hereinafter in this section referred to as "the pedestrian subways") shall be paved lighted cleansed and maintained by the London Company at its own expense to the reasonable satisfaction of the council and the pedestrian subways shall for police and all other purposes but subject to the provisions of the next succeeding subsection of this section form part of the public ways within the borough :

(2) The London Company shall open the pedestrian subways not later than 7 a.m. on every day except Sundays Good Friday and Christmas

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Day on which days it shall open them not later than 9 a.m. The London Company shall not close the pedestrian subways until after 12.30 a.m. on any night except on the night of a Sunday Good Friday or Christmas Day on which days it may close them after 11.30 p.m.:

- (3) Any difference which may arise from time to time under the provisions of this section between the council and the London Company shall be referred to and determined by an engineer to be agreed on between the council and the London Company or failing agreement 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 further protection of Paddington Borough Council.

90. The following provisions for the further protection of the mayor aldermen and councillors of the metropolitan borough of Paddington (in this section referred to as "the council") shall unless otherwise agreed in writing between the London Company and the council apply and have effect (that is to say):—

- (1) The London Company shall not break into interfere with or use any of the entrances or corridors or structure of the council's underground convenience situate at the junction of Edgware Road and Harrow Road unless and until after they have submitted and the council shall have approved plans sections and particulars showing the extent of such contemplated interference and user. Provided that such approval shall not be unreasonably withheld and that any works involving any such breaking into or interference with the said entrances or corridors or structure as aforesaid shall be carried out in accordance with such plans sections and particulars and under the supervision of the engineer of the council if given. The user thereof shall be subject to such terms as to lighting and cleansing as failing agreement may be determined by arbitration as hereinafter provided in this section:

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- (2) Such parts of Work No. 7 situate within the metropolitan borough of Paddington (hereinafter called "the borough") as will when constructed form pedestrian subways leading directly from one street to another street or another point in the same street (hereinafter in this section referred to as "the pedestrian subways") shall be paved lighted cleansed and maintained by the London Company at its own expense to the reasonable satisfaction of the council and the pedestrian subways shall for police and all other purposes but subject to the provisions of the next succeeding subsection of this section form part of the public ways within the borough : A.D. 1930.
- (3) The London Company shall open the pedestrian subways at such times as may be agreed upon between the council and the London Company :
- (4) Any difference which may arise from time to time under the provisions of this section between the council and the London Company shall be referred to and determined by an engineer to be agreed on between the council and the London Company or failing agreement 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.

91. 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 board on the one hand and the London Company or the District Company or the Central Company or the City Company (as the case may be) on the other hand have effect (that is to say) :—

For protection of Metropolitan Water Board.

(1) In this section—

The expression "the company" means such one of the London Company the District Company the Central Company and the City Company as is authorised by this Act to execute the works or exercise the powers in relation to which the expression is used;

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The expression "apparatus" includes mains pipes valves hydrants and other works and includes also the channel and culvert respectively referred to in subsections (3) and (4) of this section;

The expression "the protective section" means—

- (a) Where used in relation to the London Company section 67 (General provisions for protection of water gas hydraulic power and telephonic companies or undertakers under any Electric Lighting Order) of the London Act of 1902;
- (b) Where used in relation to the District Company section 40 (General provisions for protection of water gas hydraulic power and electric companies) of the District Act of 1897;
- (c) Where used in relation to the Central Company section 85 (General provisions for protection of water gas hydraulic power and electric companies) of the Central Act of 1891;
- (d) Where used in relation to the City Company section 72 (General provisions for protection of water gas hydraulic power and electric companies) of the City Act of 1903;

The expression "the engineer" means the chief engineer of the board or any person duly authorised to discharge temporarily the duties of the said chief engineer:

- (2) Notwithstanding anything contained in this Act or shown on the deposited plans or sections the London Company shall not construct Railway No. 1 by this Act authorised so that any part of the tunnels in which the same is to be constructed shall be at a less distance than fifty feet below the base of the Finsbury Park reservoir of the board in the parish and borough of Hornsey:

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(3) (a) If at any time the engineer shall be of opinion that the construction maintenance or use of any part of Railway No. 1 authorised by this Act under or within a distance of one hundred feet measured laterally in a horizontal plane from a point vertically below either of the banks of the channel of the New River in the borough of Stoke Newington or the operations of the London Company in connection therewith are or may be attended with danger to the said channel or may involve leakage or loss of water therefrom the London Company shall forthwith at their own expense execute such works or adopt such measures or precautions as the engineer may reasonably require for the purpose of preventing damage to or leakage or loss of water from the said channel by reason or in consequence of the construction maintenance use or failure of the said railway or any works in connection therewith or of any operations of the London Company in connection with the said railway or works;

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(b) In constructing such portions of the said Railway No. 1 as shall be under the said channel of the New River the London Company shall construct the same so that no part thereof shall be at a less distance than thirty feet below the bottom of the said channel:

(4) (a) Before commencing the construction of such portions of Railway No. 2 by this Act authorised as are proposed to be constructed under or within one hundred feet measured laterally in a horizontal plane from any part of the culvert carrying the said New River in the urban district of Wood Green the London Company shall submit to the board detailed plans sections and particulars showing the proposed position depth and manner of construction of the said portions of the said Railway No. 2. The said Railway No. 2 shall not be constructed so that any part of the tunnels in which the same is to be constructed shall be at a less distance

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than twenty feet below the bottom of the said culvert as strengthened as hereinafter provided ;

(b) For the purpose of strengthening the said culvert the London Company shall in accordance with plans sections and particulars previously submitted to and reasonably approved by the engineer line with cast iron throughout such portion of the said culvert as will be above the said Railway No. 2 and will extend on each side of the said railway for a distance of not less than twenty feet measured laterally in a horizontal plane from the nearest part of the tunnels of the said railway The said cast iron lining shall be laid or placed in the said culvert in segments and such segments shall be bolted together and lined with cement or such other material as may be reasonably approved by the engineer so that the interior of the said culvert as so lined will be free from all projections ;

(c) The said strengthening shall be carried out so as not (except in the case of unavoidable circumstances) to cause any interruption in the flow of water in the said culvert or any loss of water therefrom and the London Company shall not commence the construction of the portions of the said railway referred to in paragraph (a) of this subsection until the said strengthening shall have been completed ;

(d) If notwithstanding the adoption of such measures and precautions and the execution of such works as may be required or approved by the board any interruption of the flow of water in the said New River occurs by reason of or in consequence of the execution or failure of the works of strengthening the said culvert referred to in paragraph (b) of this subsection the London Company shall pay to the board the cost of making such temporary provision as the board may reasonably deem necessary for maintaining during the period of any such interruption the supply of water to the district which would otherwise have been afforded by the said New River ;

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(e) The London Company shall not execute any works in connection with the said culvert except at such periods of the year as may be reasonably approved or required by the board : A.D. 1930.
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(5) The provisions of paragraph (a) of subsection (3) of this section shall extend and apply to the culvert referred to in subsection (4) of this section as strengthened in accordance with that subsection and if by reason or in consequence of any such damage as is referred to in the said subsection (3) to the channel referred to in that subsection or to the said culvert the board shall reasonably deem it necessary to reconstruct or to execute any works of repair to the said channel or to the said culvert the London Company shall on demand repay to the board the amount of the cost reasonably incurred by them in connection with such reconstruction or the execution of such works of repair :

(6) The grouting to be provided by the London Company pursuant to paragraph (d) of subsection (3) of the section of this Act of which the marginal note is "General provisions as to mode of construction" shall as respects so much of any tunnel as is constructed under or within one hundred feet measured laterally in a horizontal plane from any part of the reservoir referred to in subsection (2) of this section or the channel referred to in subsection (3) of this section or the culvert referred to in subsection (4) of this section be of cement and the space referred to in the said paragraph (d) shall be filled up with such grouting forthwith after the placing of each ring of such tunnel :

(7) If at any time either during or after the construction of Railway No. 1 or Railway No. 2 by this Act authorised any damage shall be caused to the reservoir referred to in subsection (2) of this section or to the channel referred to in subsection (3) of this section or to the culvert referred to in subsection (4) of this section as strengthened in accordance with that

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subsection by reason or in consequence of such construction or of the working of the said railways or either of them the London Company shall on demand repay to the board the cost reasonably incurred by them in making good such damage and shall also make full compensation to the board for and indemnify the board against all loss and injury sustained by them (including payment for loss of water) and all costs charges and expenses reasonably incurred by them by reason or in consequence of such damage :

- (8) Before stopping up under the powers of the section of this Act of which the marginal note is " Power to stop up certain roads and to make new roads " the whole or any part of so much of Park Road in the urban district of Southgate as is described in paragraph (c) of that section the London Company shall construct the new road mentioned in that paragraph and the London Company shall on demand repay to the board the reasonable cost incurred by them in providing and laying in the said new road a four-inch main to connect the existing four-inch main of the board in Park Road with their existing four-inch main in Hillside Road :
- (9) The London Company or the District Company (as the case may be) shall construct the bridges or viaducts carrying Railway No. 3 over Waterfall Road in the urban district of Southgate and the Widenings Nos. 3 and 4 over Kingsley Road in the urban district of Heston and Isleworth so that the foundations of such bridges or viaducts shall be carried down to a depth of at least five feet below the surface of the said roads or such further depth as may be reasonably necessary to protect the existing mains of the board in the said roads :
- (10) In connection with the lengthening or alteration for the purposes of Widenings Nos. 1 and 2 by this Act authorised of the bridge carrying Boston Road over the District Railway and in connection with the lengthening or alteration

for the purposes of Widening No. 5 by this Act authorised of the bridge carrying Great Church Lane over the District Company's Railway the District Company shall if so required by and to the reasonable satisfaction of the engineer disconnect the two existing hydrants of the board in Boston Road and Great Church Lane respectively and reconnect the same in such positions as the engineer may reasonably require :

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- (11) In constructing any new bridge for carrying any of the streets or roads mentioned in this subsection over any of the railways by this Act authorised or in lengthening any existing bridge carrying any of such streets or roads over any existing railway in connection with a widening of such existing railway under the powers of this Act the company shall at their own expense provide in the footway or footways of such new bridge or of the added length of such existing bridge (as the case may be) accommodation and support for mains and apparatus of the board as follows :—

(a) In the case of Bowes Road in the urban district of Southgate two mains having respectively internal diameters of twelve inches and six inches ;

(b) In the case of East Barnet Road in the urban district of Southgate two mains having respectively internal diameters of sixteen inches and six inches and in the case of Chase Road in that urban district one main of an internal diameter of four inches ;

(c) in the case of Gunnersbury Lane in the urban district of Brentford and Chiswick two mains each having an internal diameter of thirty inches and one main having an internal diameter of nine inches ;

(d) in the case of Tring Avenue in the borough of Ealing one main having an internal diameter of six inches ;

(e) in the case of Gunnersbury Avenue in the borough of Ealing two mains having an

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internal diameter of twenty-one inches one main having an internal diameter of nine inches and one main having an internal diameter of four inches and a four-inch valve;

(f) in the case of Roberts Alley and Olive Road in the borough of Ealing two mains each having an internal diameter of twelve inches;

(g) in the case of South Ealing Road in the borough of Ealing three mains having respectively internal diameters of twelve inches nine inches and four inches and two hydrants with valves;

(h) in the case of Weymouth Avenue in the borough of Ealing one main having an internal diameter of four inches and two hydrants with valves;

(i) in the case of Northfield Avenue in the borough of Ealing one main having an internal diameter of four inches and a hydrant with valve;

(j) in the case of Boston Road in the urban district of Brentford and Chiswick three mains having respectively internal diameters of eighteen inches four inches and three inches;

(k) in the case of Great Church Lane in the Metropolitan borough of Hammersmith one main having an internal diameter of six inches;

or in the case of any of the said streets or roads accommodation and support for such other mains (if any) as may be approved by the engineer having in the aggregate a carrying capacity not less than the carrying capacity or aggregate carrying capacity of the main or mains hereinbefore specified with reference to that street or road:

- (12) The company shall on demand repay to the board the cost reasonably incurred by the board (a) in providing and laying in the accommodation to be provided by the company pursuant to subsection (11) of this section steel pipes encased in concrete having a carrying capacity

equal to the carrying capacity or aggregate carrying capacity of the existing main or mains of the board laid in the street or road in or in connection with which such accommodation is provided and (b) in connecting such steel pipes with the existing mains of the board at either end : A.D. 1930.

- (13) (a) Where by reason or in consequence of the stopping up under the powers of this Act of any street or road any apparatus of the board situate in or under the street or road so stopped up is rendered derelict or unnecessary the company shall after such stopping up pay to the board such a sum as may be agreed between the board and the company or as failing such agreement shall be determined by arbitration to be the value of such apparatus so rendered derelict or unnecessary ;

(b) In addition to the payment referred to in paragraph (a) of this subsection the company shall pay to the board the cost reasonably incurred by them of and incidental to the cutting off of any such apparatus as is referred to in the said paragraph (a) from any other apparatus of the board and of and incidental to the making of connections or the execution or doing of any other works or things rendered reasonably necessary in consequence of any apparatus of the board being rendered derelict or unnecessary by the stopping up of any street or road so stopped up :

- (14) The company shall bear and pay to the board the amount of any expenses reasonably incurred by the board in connection with the cutting off of any apparatus from and the reconnecting of such apparatus with any hydrants or private communication pipes or in connection with the removal or alteration of any such private communication pipes rendered reasonably necessary by reason or in consequence of the execution of the works or the exercise of the powers by this Act authorised and shall indemnify the board against all claims

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and demands by the owners of such communication pipes or the owners or occupiers of premises supplied by means thereof :

- (15) The provisions of the section of this Act of which the marginal note is " Compensation for damage by working of railways and subways " shall extend and apply to the apparatus of the board (other than the channel and culvert respectively referred to in subsections (3) and (4) of this section) as if the same were expressly included in such lands houses and buildings as are referred to in that section :
- (16) The provisions contained in the protective section as extended and applied by the several sections of this Act of which the marginal notes are " Incorporating certain provisions of existing Acts " shall be read and have effect as if the board were a protected company within the meaning of the protective section. Provided that the following modifications of the protective section in its application to the board and their apparatus shall 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 the protective section 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 section 67 of the London Act of 1902 and of section 85 of the Central Act of 1891 and of section 72 of the City Act of 1903 and in subsection (7) of section 40 of the District Act of 1897 :
- (17) The 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 which

consent shall not be unreasonably withheld or in any manner other than the engineer shall reasonably approve nor (with such consent and approval) until such good and sufficient apparatus as the engineer may reasonably consider necessary for continuing the supply of water has been first provided and laid down and made ready for use :

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- (18) The 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 which they may sustain by reason of any interference with their apparatus or property :
- (19) In executing the works authorised by this Act or in exercising any of the other powers of this Act the 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 such apparatus is situate so as to leave over such apparatus a covering of either less than three feet or more than five feet except in the case of bridges and approaches thereto subways or booking halls where the covering may be less than three feet subject to special protection against frost and injury being provided to the reasonable satisfaction of the board :
- (20) The company shall not except by agreement with the board 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 :
- (21) Notwithstanding anything contained in this Act or shown on the deposited plans or sections the company shall not construct any station booking hall subway tunnel escalator shaft or work of a like nature under any street or road in such manner as to leave in such street or road insufficient space for the reasonably convenient

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accommodation of any existing apparatus of the board in or under such street or road and in the case of Subway No. 2 and Work No. 1 by this Act authorised an additional main having an internal diameter of eighteen inches and in the case of Subway No. 3 and Work No. 2 and Subway No. 4 and Work No. 3 two additional mains each having an internal diameter of eighteen inches. Provided that the company may divert any apparatus of the board so as to pass below or around any station booking hall subway tunnel escalator shaft or work of a like nature in such manner as may be agreed or failing agreement may be determined by arbitration :

- (22) Notwithstanding anything contained in the several sections of this Act of which the marginal notes are "Power to deviate vertically" the company shall not execute any works within twenty-five feet from the surface of any street road or footway (other than such subways and works as are shown on the deposited plans and sections as being within that depth) in or under which any apparatus of the board is situate or otherwise interfere with the subsoil of such street road or footway 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 reasonable terms and conditions as the board may attach to any consent given by them :
- (23) If any loss of water from any apparatus or reservoir be sustained by the board by reason of any act or omission 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 pay to the board the value of any water so lost as aforesaid :
- (24) Where any work or structure to be executed or constructed under the powers of this Act is within seven feet six inches measured either horizontally or vertically from any apparatus

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of the board the company shall in connection with the execution or construction of that work or structure execute such works as the engineer may reasonably require for diverting altering or 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 so much of any main or pipe as is within the said distance and the company shall on demand repay to the board the cost incurred by them in so doing :

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- (25) In the construction of the works by this Act authorised no use shall be made by the company of pumping or other like modes of removing water except in the case of unforeseen accident or for the purpose of removing rain water or other trifling amounts of water. Provided that the provisions of this subsection shall not apply to the pumping of water from shafts but if water shall be abstracted from any shaft it shall be returned into the adjacent subsoil :
- (26) All works to be executed or provided under this Act in connection with any apparatus of the board shall be so executed and provided by and at the expense of the company and to the reasonable satisfaction of the engineer :
- (27) Such portions of the said Railway No. 1 as will be constructed under or within one hundred feet measured laterally from any part of the reservoir referred to in subsection (2) of this section and such portions of the said Railway No. 1 and the said Railway No. 2 as are respectively referred to in subsections (3) and (4) of this section and the works referred to in subsection (26) of this section shall be constructed or executed under the supervision (if after reasonable notice he shall choose to attend) of the engineer and the reasonable costs charges and expenses of such supervision shall be paid by the company :
- (28) If any difference shall arise between the London Company the District Company the Central

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Company or the City Company on the one hand and the board or the engineer on the other hand 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 the protective section (as applied and modified by this section) with respect to the settlement of differences :

- (29) 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 provisions of this Act to the benefit of which the board would otherwise be entitled.

PART VII.

LONDON COMPANY—FINANCIAL PROVISIONS.

Power to
London
Company
to raise
additional
moneys.

92. Subject to the provisions of this Act the London Company may by virtue of this Act and without any further or other authority raise from time to time additional moneys for the purposes of its undertaking not exceeding in the whole the sum of eight million and sixty-five thousand pounds wholly or partially by one or more of the following modes (that is to say) (a) by the creation and issue either at a discount or at par or at a premium of new ordinary shares or stock (b) by the creation and issue either at a discount or at par or at a premium of new preference shares or stock (c) by borrowing on mortgage of its undertaking (d) by the creation and issue either at a discount or at par or at a premium of debenture stock carrying interest at such rate as the London Company shall think fit provided that before the issue of such debenture stock or of any specified portion thereof (as the case may be) the London Company shall by the resolution creating such debenture stock or specified portion thereof specify the rate of interest which such debenture stock or specified portion thereof is to carry (e) by borrowing either without security or on the security of the deposit or an agreement for the deposit (with or without a charge thereon) of such debenture stock

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as aforesaid (whether redeemable or irredeemable) or of preference stock (whether redeemable or irredeemable). A.D. 1930.

93. Section 15 (Power to divide ordinary shares) of the London Act of 1910 shall extend and apply to all ordinary shares created or issued by the London Company under this Act and so much of section 16 (General meetings and right of voting) of the London Act of 1910 as relates to London Electric Railway ordinary shares or stock shall extend and apply to all ordinary shares and stock created or issued by the London Company under this Act in the same manner in all respects as if such shares or stock were London Electric Railway ordinary shares or stock. Application of sections 15 and 16 of London Act of 1910 to ordinary shares and stock.

94. Subject to the provisions of this Act all preference stock which is created and issued by the London Company under the powers of this Act shall carry a fixed preferential dividend at the same rate (namely four per centum per annum) as that carried by the London Electric Railway four per centum preference stock created or authorised to be created by the London Acts of 1910 to 1926 and any preference stock so created and issued shall as and when issued also be called and known as "London Electric Railway four per centum preference stock." Power to issue four per centum preference stock.

95. Notwithstanding anything contained in the London Acts of 1910 to 1926 and in this Act the London Company may from time to time if it thinks fit (but only with the sanction of a resolution of a general meeting of the London Company) issue the whole or any part of any now unissued London Electric Railway four per centum preference stock authorised by any former Act and the further preference stock authorised to be created and issued by this Act with a fixed preferential dividend at such higher rate than four per centum per annum as it thinks fit and any preference stock so issued shall as and when issued be called and known as "London Electric Railway _____ per centum preference stock" according to the rate of dividend attached thereto pursuant to this Act. The notice convening any general meeting for passing any such resolution as is in this section referred to shall set out the resolution proposed. Power to issue additional preference stock carrying higher rate of dividend than four per centum.

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A.D. 1930. to be submitted pursuant to this section to such meeting.

All preference stock to rank *pari passu*.

96. All preference stock shall (whatsoever may be the rate or rates of dividend attached to the same or to different parts thereof and whether the same has been issued prior to the passing of this Act under the powers of the London Acts of 1910 to 1926 or any of them or shall be issued after the passing of this Act under the powers of the London Acts of 1910 to 1926 and of this Act or any of them) rank for all purposes *pari passu* and shall be subject to the provisions of section 122 of the Companies Clauses Consolidation Act 1845 be entitled *pari passu* and rateably according to the respective rates of dividend attached thereto respectively to receive out of the profits of the London Company which remain in each half-year ending on a thirtieth day of June or thirty-first day of December a fixed preferential dividend at the rate or respective rates on the nominal value thereof attached thereto respectively by or pursuant to the London Acts of 1910 to 1926 or this Act as the case may be.

Application of sections 14 and 16 of London Act of 1910 to new preference stock.

97. Section 14 (Four per centum preference stock how transferable) of the London Act of 1910 and so much of section 16 (General meetings and right of voting) of the same Act as relates to the London Electric Railway four per centum preference stock referred to in that Act shall extend and apply to all preference stock created or issued by the London Company under this Act whatsoever may be the rate or rates of dividend attached to the same or the different parts thereof respectively including redeemable preference stock and new preference stock issued under the section of this Act of which the marginal note is "Creation and issue of redeemable debenture and preference stocks and redemption thereof" in the same manner in all respects as if all such stock were London Electric Railway four per centum preference stock.

As to ranking of debenture stocks.

98.—(1) All debenture stock and mortgages created by the London Company under the powers of this Act shall with the interest thereon rank *pari passu* without respect to the dates of the securities or of the

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resolutions by which such debenture stock and mortgages are authorised and the interest on such debenture stock and mortgages shall have priority over all principal moneys secured by such debenture stock and mortgages.

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(2) All debenture stock created by the London Company under the powers of this Act shall with the interest thereon be a charge on the whole undertaking from time to time of the London Company and shall as regards the principal and interest thereof and the security therefor rank *pari passu* with all the debenture stock which is referred to as "London Electric Railway four per centum debenture stock" in the London Act of 1910 and with all the debenture stock created and issued or authorised to be created and issued under the powers of the London Acts of 1910 to 1914 or any of them (all of which debenture stocks are in this Act collectively referred to as "London Electric Railway four per centum debenture stock") and in priority to all second debenture stock created and issued or authorised to be created and issued by the London Company under the London Acts of 1919 1922 1923 and 1926 or any of them.

(3) Notwithstanding anything contained in Part III of the Companies Clauses Act 1863 or in this Act (a) any subsequent Act which authorises the London Company to raise money by borrowing or by mortgage or by the creation and issue of debenture stock may authorise the London Company to raise the same so as to rank as regards the principal and interest thereof and the security therefor *pari passu* with the debenture stock which the London Company is authorised to create and issue by this Act or otherwise as such subsequent Act may provide and (b) the interest on all debenture stock which is at any time created and issued under any subsequent Act so as to rank *pari passu* with the debenture stock which the London Company is authorised to create and issue under this Act shall (subject to the provisions of such subsequent Act) have priority over all principal moneys secured by such debenture stock. Notice of the effect of this subsection shall be endorsed on all certificates for such last-mentioned debenture stock.

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Restriction
on creation
and issue of
debenture
stock.

99. Notwithstanding anything in this Act contained no debenture stock shall be created or issued by the London Company under the powers of this Act so as to rank in priority to the existing redeemable second debenture stock of the London Company guaranteed by the Treasury in terms of the Trade Facilities Acts 1921 to 1926 unless the consent in writing of the Treasury has been previously obtained.

For appoint-
ment of a
receiver.

100. Section 39 (For appointment of a receiver) of the London Act of 1926 is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under such provisions. The mortgagees of the London Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

PART VIII.

DISTRICT COMPANY—FINANCIAL PROVISIONS.

Power to
District
Company
to raise
additional
moneys.

101. Subject to the provisions of this Act the District Company may by virtue of this Act and without any further or other authority raise from time to time additional moneys for the purposes of its undertaking not exceeding in the whole the sum of two million six hundred and thirty-five thousand pounds wholly or partially by one or more of the following modes (that is to say) (a) by the creation and issue either at a discount or at par or at a premium of new ordinary shares or stock (b) by the creation and issue either at a discount or at par or at a premium of new preference shares or stock (c) by borrowing on mortgage of its undertaking (d) by the creation and issue either at a discount or at par or at a premium of debenture stock carrying interest at such rate as the District Company shall think fit provided that

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before the issue of such debenture stock or of any specified portion thereof (as the case may be) the District Company shall by the resolution creating such debenture stock or specified portion thereof specify the rate of interest which such debenture stock or specified portion thereof is to carry (e) by borrowing either without security or on the security of the deposit or an agreement for the deposit (with or without a charge thereon) of such debenture stock as aforesaid (whether redeemable or irredeemable) or of preference stock (whether redeemable or irredeemable).

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102. Except as in this Act or in the resolution creating the new shares or stock is otherwise provided the capital in new shares or stock created by the District Company under this Act and the new shares or 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 District Company of the same class or description and the new shares or stock were shares or stock in that capital and the capital in new shares or stock so created shall form part of the capital of the District Company.

As to new shares or stock.

103. The preference stock which is created and issued by the District Company under the powers of this Act shall carry a fixed preferential dividend at such rate per annum as shall be specified by the District Company at or before the issue of such stock and the District Company may with the sanction of not less than three-fourths in nominal value of the holders of the existing second preference stock of the District Company present in person or by proxy at a meeting of the holders of that stock specially convened for the purpose create and issue the same as second preference stock ranking for dividend *pari passu* and rateably according to the respective rates of dividend attached thereto with the existing second preference stock of the District Company but except with such sanction the said preference stock shall rank for dividend next after the existing second preference stock of the District Company but notwithstanding anything contained in any former Act the said preference

Preference stock.

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A.D. 1930. — stock shall in either case confer on the holders thereof the same privileges and advantages for the purpose of voting at meetings of the District Company as the same amounts of the existing preference stocks of the District Company confer on the holders of such existing preference stocks.

As to ranking of debenture stock and mortgages.

104. All debenture stock and mortgages created by the District Company under the powers of this Act shall be subject to the provisions of section 67 (Debenture stock) of the District Act of 1903 and notice of the effect of that enactment shall be endorsed on all mortgages and certificates of debenture stock.

For appointment of a receiver.

105. Section 52 (For appointment of a receiver) of the Act of 1920 is hereby repealed but without prejudice to any appointment which may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under any such provisions. The mortgagees of the District Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

PART IX.

CENTRAL COMPANY—FINANCIAL PROVISIONS.

Power to Central Company to raise additional moneys.

106. Subject to the provisions of this Act the Central Company may by virtue of this Act and without any further or other authority raise from time to time additional moneys for the purposes of its undertaking not exceeding in the whole the sum of one million one hundred and fifty thousand pounds wholly or partially by one or more of the following modes (that is to say) (a) by the creation and issue either at a discount or at par or at a premium of new ordinary shares or stock (b) by the creation and issue either at a discount or at par or at a premium of new preference shares or stock (c) by borrowing on mortgage

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of its undertaking (d) by the creation and issue either at a discount or at par or at a premium of debenture stock carrying interest at such rate as the Central Company shall think fit provided that before the issue of such debenture stock or of any specified portion thereof (as the case may be) the Central Company shall by the resolution creating such debenture stock or specified portion thereof specify the rate of interest which such debenture stock or specified portion thereof is to carry (e) by borrowing either without security or on the security of the deposit or an agreement for the deposit (with or without a charge thereon) of such debenture stock as aforesaid (whether redeemable or irredeemable) or of preference stock (whether redeemable or irredeemable).

A.D. 1930.

107. Notwithstanding anything in this Act contained no debenture stock shall be created or issued by the Central Company under the powers of this Act so as to rank *pari passu* with the existing four hundred and fifty-eight thousand pounds four and a half per centum redeemable debenture stock of the Central Company guaranteed by the Treasury in terms of the Trade Facilities Acts 1921 to 1926 unless the consent in writing of the Treasury has been previously obtained.

Restriction on creation and issue of debenture stock.

108.—(1) Except as in this Act or in the resolution creating the new shares or stock is otherwise provided the capital in new shares or stock created by the Central Company under this Act and the new shares or 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 Central Company of the same class or description and the new shares or stock were shares or stock in that capital and the capital in new shares or stock so created shall subject as hereinafter provided form part of the capital of the Central Company.

As to new shares or stock.

(2) Notwithstanding anything contained in any former Act or this Act or any Act incorporated therewith the Central Company may create and issue any capital authorised to be created and issued as preference shares

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A.D. 1930. or preference stock under the provisions of any former Act and not created and issued before the passing of this Act or under the provisions of this Act with such rate of dividend attached thereto as the directors of the Central Company may determine at or before the issue thereof.

(3). Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

As to
ranking of
debenture
stock and
mortgages.

109. All debenture stock and mortgages created by the Central Company under the powers of this Act shall be subject to the provisions of section 24 (Power to create debenture stock) of the Central Act of 1891 and notice of the effect of that enactment shall be endorsed on all mortgages and certificates of debenture stock.

For appoint-
ment of a
receiver.

110. Section 31 of the Act of 1920 with reference to the appointment of a receiver is hereby repealed and the mortgagees of the Central Company may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

PART X.

GENERAL FINANCIAL PROVISIONS.

Application
of this Part
of Act.

111. This Part of this Act shall apply to the London Company the District Company and the Central Company respectively and to the raising by those companies respectively of additional moneys under the powers conferred on them respectively by Part VII Part VIII and Part IX of this Act and to the exercise of such powers by them respectively and the sections of this Act of which the marginal notes are "Power to pay interest out of capital during construction" "Interest on debenture stock" and "Application of funds by company" shall apply to the City Company as well as to those companies and in this Part of this Act the

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expression "the company" shall mean the London Company or the District Company or the Central Company (as the case may be) and in the above-mentioned sections that expression shall also mean the City Company. A.D. 1930.

112. The directors of the company may from time to time and without further or other sanction or authority exercise all or any of the powers of raising money by the creation and issue of ordinary or preference shares or stock or by mortgaging its undertaking or by creating and issuing debenture stock or by borrowing which are conferred on the company by this Act but nothing in this section contained shall be deemed to limit the powers of such directors to exercise on behalf of the company the powers conferred by any other section of this Act. Directors may exercise capital powers.

113.—(1) The directors of the company may from time to time by virtue of this Act and without further or other sanction or authority create and issue—
(a) the debenture stock which the company is by this Act authorised to create and issue or any part thereof; and
(b) the preference stock which the company is by this Act authorised to create and issue or any part thereof
Creation and issue of redeemable debenture and preference stocks and redemption thereof.

so as to be redeemable either at par or at such premium (not exceeding five per centum) and at such dates or in such events and on such terms and conditions and in such manner as such directors may determine at or before the issue thereof.

(2) The company may if the terms of issue so provide (i) call in and pay off at any time before the fixed date of redemption thereof the whole or any part of any redeemable debenture stock or redeemable preference stock so issued and (ii) redeem in all or any of the following ways the whole or any part of any redeemable debenture stock or redeemable preference stock so issued that is to say either (a) by paying off the same or (b) by purchasing the same in the market or by tender at any price not exceeding the redemption price thereof or (c) by issuing to any holder thereof subject to his consent other debenture stock or preference stock as the

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(3) The company may for the purpose of (a) providing money for paying off money borrowed by it under the powers of this Act (either with or without the deposit of debenture stock or preference stock by way of security) or (b) paying off debenture stock or preference stock issued by it under the powers of this Act as redeemable debenture stock or as redeemable preference stock as the case may be or (c) replacing capital moneys applied under the section of this Act of which the marginal note is "Company may apply capital moneys in purchase of redeemable stocks" in the purchase of redeemable debenture stock or redeemable preference stock or (d) providing substituted debenture stock or substituted preference stock (as the case may be) create and issue new debenture stock or new preference stock which may respectively be either redeemable or irredeemable:

Provided always that the new debenture stock so created and issued by the company shall not make the total nominal amount of all the debenture stocks (both redeemable and irredeemable) from time to time issued by the company and outstanding exceed the total nominal amount of all the debenture stocks which the company is for the time being authorised to create (except during the necessary interval between the creation of the new stock and the redemption of the old stock) and that unless any subsequent Act of Parliament otherwise authorises the new debenture stock so created and issued by the company shall be created and issued as debenture stock ranking as regards principal interest and security (a) in the case of the London Company in priority to all second debenture stock now or hereafter created and issued by the London Company under the London Acts of 1919 1922 1923 and 1926 or any of them and *pari passu* with all London Electric Railway four per centum debenture stock and with the debenture stocks (whether issued and outstanding or not) which the London Company is authorised to create and issue by this Act and (b) in the respective cases of the District Company and of the Central Company in the same manner in all respects as the debenture stock for or in respect of which such new

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debenture stock is created and issued under the provisions of this section : A.D. 1930.

Provided also that the powers of the company of borrowing or borrowing on mortgage or by the creation and issue of debenture stock shall not by reason of section 34 of the Companies Clauses Act 1863 be cancelled by the creation and issue of redeemable debenture stock under any of the provisions of this section :

Provided further that the new preference stock so created and issued shall not make the total nominal amount of preference stock (both redeemable and irredeemable) from time to time issued by the company and outstanding exceed the total nominal amount of preference stock which the company is for the time being authorised to issue (except during the necessary interval between the creation of the new stock and the redemption of the old stock) and that unless any subsequent Act otherwise authorises the new preference stock so created and issued by the company shall (a) in the case of the London Company rank *pari passu* in all respects with the preference stock (whether then issued and outstanding or not) created by or which the London Company is authorised to create and issue by the London Acts of 1910 to 1926 and by this Act and by any subsequent Act or any of them and (b) in the respective cases of the District Company and of the Central Company in the same manner in all respects as the preference stock for or in respect of which such new preference stock is created and issued under the provisions of this section.

114. If the company deposits or agrees to deposit any debenture stock or preference stock (whether redeemable or not) to secure advances from time to time on current account or otherwise such debenture stock or preference stock shall not be taken to have been redeemed by reason only of the account of the company having ceased to be in debit whilst such debenture stock or preference stock remains so deposited or agreed to be deposited. As to deposit of debenture or preference stock.

115. Any capital moneys which the company now or at any time hereafter has in its hands and which may not be required for any purpose to which the same are made specially applicable by the Act or Acts by which they are authorised to be raised may if the directors Company may apply capital moneys in purchase of redeemable stocks.

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A.D. 1930. — of the company think fit be at any time applied in the purchase in the market or by tender at any price not exceeding the redemption price thereof of any debenture stock or preference stock issued as redeemable debenture stock or redeemable preference stock under the powers conferred on the company by this Act or any former Act relating to the company. Any debenture stock or preference stock so purchased shall be cancelled.

Power to form fund for redemption of redeemable stocks.

116.—(1) The company may from time to time set aside out of revenue (after providing for the payment of interest on any loan or on any outstanding debenture stock or any dividend or interest on any rentcharge stock and guaranteed stock and for other fixed charges and obligations and if it thinks fit after providing for any dividend on any preference stock of the company) such sums as it may consider proper for the purpose of forming a fund for the redemption at maturity of any debenture stock or preference stock which is issued by the company under the powers of this Act and which under the conditions of the creation and issue thereof is to be redeemed wholly or partly in cash and may invest any sums so set apart and the income therefrom in any securities in which trustees are for the time being by law authorised to invest trust funds or in any other securities (not being securities of the company except as hereinafter provided) in which the company may be authorised to invest those sums by a resolution passed at a general meeting of the company.

(2) Any sums so set apart shall be applied for the redemption at maturity of any debenture stock or preference stock for the redemption of which they have been set apart but may if the directors of the company think fit be also at any time applied in the purchase in the market or by tender or in any other way of any such redeemable debenture stock or preference stock as aforesaid at any price not exceeding the redemption price thereof. Any debenture stock or preference stock so purchased shall be cancelled.

(3) All sums so set apart shall be shown in account No. 9 (Proposed appropriation of net income) of the accounts and returns prepared by the Company pursuant to the provisions of the Railway Companies (Accounts and Returns) Act 1911.

117. Notwithstanding anything in this Act or in any Act or Acts incorporated herewith the company may out of any money by any former Act and this Act or any of such Acts authorised to be raised pay interest at such rate as the directors of the company may determine to any shareholder or stockholder on the amount from time to time paid up on the ordinary or preference shares or stock created or authorised to be created by any former Act relating to the company or by this Act or any of them and hereafter issued under any of those Acts or under this Act (as the case may be) held by him from the respective times of such payments until the thirty-first day of October one thousand nine hundred and thirty-five or such less period as the directors of the company may determine but subject always to the conditions hereinafter stated (that is to say):—

A.D. 1930.
Power to
pay interest
out of
capital
during con-
struction.

(a) No such interest shall begin to accrue on any of the ordinary or preference shares or stock aforesaid which shall from time to time be issued by the company 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 ordinary or preference shares or stock so issued in respect of which such interest is proposed to be paid has been actually issued and accepted and is held by share or stock holders who or whose executors administrators or assigns are legally liable for the same ;

(b) No such interest shall accrue in favour of any holder of such ordinary or preference shares or stock as aforesaid for any time during which any call on any of his said ordinary or preference shares or stock is in arrear ;

(c) The aggregate amount to be so paid for interest shall not exceed—

in the case of the London Company
three hundred and fifty thousand pounds ;

in the case of the District Company one
hundred thousand pounds ;

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in the case of the 'Central' Company one hundred thousand pounds;

in the case of the City Company forty-five thousand pounds;

(d) Notice that the company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the company inviting subscriptions for such ordinary or preference shares or stock as aforesaid;

(e) The annual 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.

Save as hereinbefore set forth no interest shall be paid out of any stock or share or loan capital which the company is by this or any other Act authorised to raise to any stockholder or shareholder on the amount of the calls made in respect of the ordinary or preference shares or stock held by him but nothing in this Act shall prevent the company from paying to any holder of ordinary or preference shares or stock such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Interest on debenture stock.

118. The company may charge to capital account the interest accruing during the period expiring on the thirty-first day of October one thousand nine hundred and thirty-five or such less period as the directors of the company may determine on all money raised by borrowing or by mortgage or by the issue of debenture stock under any former Acts and this Act or any of them.

Existing mortgages to have priority.

119. The principal moneys secured by all mortgages granted by the company before the passing of this Act in pursuance of the powers of any former Act and subsisting at the passing hereof shall during the continuance of any such mortgages have priority over the principal moneys secured by any mortgages granted by the company by virtue of this Act.

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120. If any money is payable to a stockholder shareholder 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.

A.D. 1930.

—
Receipt in
case of
persons *not*
sui juris.

121. The powers of borrowing conferred on the company by this Act shall not be subject to reduction owing to the company having purchased or purchasing lands in consideration of rentcharges or having paid or paying under the provisions of this or any former or future Act interest out of capital.

Powers of
borrowing
not to be
reduced by
creation of
rentcharges
&c.

122.—(1) The powers of raising moneys conferred by this Act are in addition to any existing powers of the company to raise money.

Powers for
raising
moneys are
additional
to existing
powers.

(2) Nothing in this Act shall affect the exercise by the company or the directors of the company of any power of mortgaging or of creating or issuing any unissued debenture stock or preference stock or ordinary stock or shares which the company is by any former Act authorised to exercise or to create and issue in so far as such power has not been exercised before the passing of this Act. Provided that the power of the District Company to borrow the sum of five hundred and forty-nine pounds mentioned in Part II of the First Schedule to the District Act of 1908 whether exerciseable under the powers of the Act therein mentioned in regard thereto or under the provisions of any other Act relating to the District Company passed prior to the said Act of 1908 is hereby cancelled.

123. The company may apply to such purposes of this Act as relate to it and to the general purposes of its undertaking being in all cases purposes to which capital is properly applicable (including the purchase of rolling stock) any of the moneys which it now has in its hands or which it has power to raise by shares stocks or debenture stocks or borrowing by virtue of any former Acts or this Act and which may not be required for the purposes to which they are by such Acts or this Act made specially applicable.

Application
of funds by
company.

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—
Application
of capital.

124. All moneys raised by the company under the powers of this Act shall be applied only to the purposes of its undertaking to which capital is properly applicable including the purchase of rolling stock.

Shares not
to vest
until one-
fifth shall
have been
paid up.

125. The company shall not issue any share created under the authority of this Act of a less nominal amount than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

As to appli-
cation of
section 113
of Stamp
Act 1891.

126. 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 Act as though the issue of any new ordinary or new preference stock authorised by this Act 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 Act 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.

PART XI.

MISCELLANEOUS.

Application
of section 35
of London
Hackney
Carriage
Act 1831
to station
premises.

127. Any premises comprising a railway station of any of the four companies and the precincts thereof and the approaches thereto which are situate within the limits of the London Hackney Carriage Act 1831 as amended by subsequent Acts shall be deemed for the purposes of section 35 of that Act to be a street or place.

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128.—(1) The four companies or any two or more of them may from time to time enter into and carry into effect vary and rescind agreements with respect to the following purposes or any of them (that is to say) :—

A.D. 1930.

—
Agreements
between
the four
companies.

The construction ownership working management maintenance renewal running over and user of the railways widenings subways and works by this Act authorised or any parts or part thereof or of any other parts or part of the respective undertakings of the four companies or any of them ;

The management regulation interchange collection transmission distribution and delivery of traffic upon or coming from or destined for their respective railways or any of them ;

The supply and maintenance by any one or more of the four companies during the continuance of any such agreement of engines motors rolling stock and plant necessary for the purposes of such agreement ;

The supply of electrical energy for working the respective undertakings of the four companies or of any of them or any part or parts thereof ;

The employment of officers and servants ;

The payments to be made and the conditions to be performed with regard to the matters aforesaid or any of them ;

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 four companies who are parties to such agreement.

(2) During the continuance of any agreement under this section for the working running over or user by one of the contracting parties of the railways of the other the railways of the parties so contracting so far as such railways are continuous railways shall for the purpose of calculating maximum fares and charges in respect of

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A.D. 1930. — conveyance partly over the railways of the one party and partly over those of the other be considered as one railway and the maximum charges for each such part of the entire distance shall be calculated at the maximum rate which according to the scale applicable to such part would be chargeable for the entire distance.

Agreements
between
four com-
panies and
London
and North
Eastern
Railway
Company
and Metro-
politan
Railway
Company.

129.—(1) The four companies or any one or more of them on the one hand and the London and North Eastern Railway Company and the Metropolitan Railway Company or either of those companies on the other hand may from time to time 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 construction ownership working maintenance renewal and user of the railways subways and works by this Act authorised or any part or parts thereof and of any stations booking halls lifts escalators stairways passages or other works and conveniences in connection therewith.

(2) The provisions of section 26 of the Railways Clauses Act 1863 shall apply to and for the purposes of any agreement entered into under the provisions of this section.

Saving for
Postmaster-
General.

130. Nothing in any agreement made under the authority 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 any land or works comprised in the respective undertakings of the London Company the Central Company or the City Company and from time to time to alter such telegraphic lines and to enter upon the land and works comprised in such undertakings respectively 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 any part of the said undertakings is owned leased or worked by the District Company the London and North Eastern Railway Company or the Metropolitan Railway Company or any of them as freely and fully in all respects as he was entitled to do before the making of any such agreement.

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131. The District Company and the London Company may enter into and carry into effect agreements varying or annulling any of the provisions of an agreement made the sixth day of May one thousand nine hundred and eight between the District Company of the one part and the London Company under its former name of the Great Northern Piccadilly and Brompton Railway Company of the other part (which agreement was scheduled to and confirmed by the District Act of 1908) and of any other agreements heretofore made between those companies varying the terms of the first-mentioned agreement.

A.D. 1930.

As to agreement of 6th May 1908 between District Company and London Company.

132. Notwithstanding anything to the contrary contained in a lease dated the sixteenth day of August one thousand nine hundred and eleven granted by the Great Northern Railway Company (the predecessors of the London and North Eastern Railway Company) to the London Company the London Company may construct the railways subways and works referred to in Part II of this Act without obtaining any such consent as is required by such lease.

As to lease from Great Northern Railway Company to London Company.

133. The following subsection shall be substituted for subsection (5) of section 21 (Application of money raised by joint committee) of the District Act of 1911 and that Act shall be deemed to have and to have had effect as if the following subsection had been originally inserted therein (namely) :—

Amendment of subs. (5) of section 21 of District Act of 1911.

“(5) In paying for or in refunding to the two companies or either of them their or either of their expenditure on any enlargements or extensions of or additions to the generating station undertaking effected after the date of transfer either by the joint committee at the request of the two companies or by the two companies or either of them provided that such enlargements extensions or additions are in the nature of buildings additional lands or fixed plant or fixed machinery or high tension cables and are approved of by the joint committee either before or after the same are made or during the making thereof and will upon the completion thereof be comprised in the said lease to be granted by the joint committee to the two companies as aforesaid.”

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For protection of
Postmaster-
General.

134. Subsection (2) of section 8 (For protection of Postmaster-General) of the Central Act of 1901 and subsection (2) of section 8 (For protection of Postmaster-General) of the City Act of 1903 shall be read and have effect as if the words "generated or used by or supplied to" were inserted in those subsections respectively in substitution for the words "generated by."

As to
meetings
of four
companies
and of
Whitechapel
and Bow
Railway
Company.

135.—(1) The annual ordinary meetings of each of the four companies and of the Whitechapel and Bow Railway Company shall be held in January February or March in each year.

(2) All or any meetings of any of the four companies or of the Whitechapel and Bow Railway Company whether ordinary or extraordinary may be convened by notice sent by post to or delivered at the registered address or other known address of each shareholder and stockholder of the respective company entitled to be convened to the meeting Provided that the notice if sent by post shall be in prepaid envelope or wrapper and posted not less than seven clear days before the date of the meeting and if delivered shall be delivered at such address as aforesaid not less than six clear days before the date of the meeting In proving that any such notice has been sent by post it shall be sufficient to prove that the envelope or wrapper containing the notice was properly addressed and put into the post and prepaid not later than the time hereby prescribed.

(3) If a meeting is convened in accordance with subsection (2) of this section it shall not be necessary to give public notice of the meeting by advertisement.

(4) The provisions of this section shall take effect notwithstanding anything contained in any previous Acts relating to the four companies or the Whitechapel and Bow Railway Company or in any Act incorporated with any of such Acts or in any previous Act.

Section 102
of London
Act of 1926
to apply to
Whitechapel
and Bow
Railway
Company.

136. The provisions of section 102 (Power to strike balances for dividend and interest) of the London Act of 1926 shall extend and apply to the Whitechapel and Bow Railway Company as if the words "and the Whitechapel and Bow Railway Company" were therein inserted after the words "the four companies" wherever those words occur throughout that section.

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137. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the four companies or any of them or any other persons to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown or vested in or in the occupation of the Commissioners of Works for public purposes or for the public service without the consent of the Commissioners of Crown Lands on behalf of His Majesty or of the Commissioners of Works as the case may be first had and obtained for the purpose.

A.D. 1930.

—
Crown
rights.

138. The powers of selling and leasing Crown lands or any easements rights or privileges of any kind over or in relation to such lands given to the Commissioners of Crown Lands by the Crown Lands Act 1927 shall extend to enable the Commissioners of Crown Lands to sell or lease to the four companies or to any of them any lands whatsoever forming part of the hereditary possessions of the Crown or any easements rights or privileges of any kind over or in relation to such lands as may be required for any of the purposes of this Act notwithstanding that such lands or any part thereof may form part of a royal park or be under the management of the Commissioners of Works and any consideration to be paid by the four companies or any of them in respect of any sales or leases of any such lands as aforesaid or of any easements rights or privileges over or in relation to such lands shall be paid to the Commissioners of Crown Lands Provided that the Commissioners of Crown Lands shall not sell or lease any lands under the management of the Commissioners of Works and forming part of any royal park unless with the consent of His Majesty signified in writing under the Royal Sign Manual the Treasury shall so authorise.

Crown
lands.

139. The four companies respectively 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 four companies or any of them

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

[Ch. lxxxviii.] *London Electric* [20 & 21 GEO. 5.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

A.D. 1930. — solely or jointly to construct any other railway or to execute any other work or undertaking.

Provision
as to general
Railway
Acts. **140.** Nothing in this Act contained shall exempt any company upon whom powers are conferred by this Act or its 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. **141.** 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 four companies in such proportions as shall be agreed between them or failing agreement settled by an arbitrator appointed upon the application of any of such companies by the Minister of Transport and the Arbitration Act 1889 shall apply to any such arbitration.

[20 & 21 GEO. 5.] *London Electric* [Ch. lxxxviii.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

The SCHEDULES referred to in the
 foregoing Act.

A.D. 1930.

FIRST SCHEDULE.

MARGINAL NOTES AND NUMBERS OF SECTIONS OF ACTS
 INCORPORATED WITH PART II (LONDON COMPANY
 —RAILWAYS SUBWAYS WORKS AND LANDS) OF
 THIS ACT.

Marginal Note of Section.	No. of Section.
THE LONDON ACT OF 1893.	
Motive power - - - - -	8
Persons authorised to convey lands may grant ease- ments - - - - -	33
Provision as to cellars under streets not referenced -	40
Conditions to be observed in opening road for boring purposes - - - - -	41
As to carting materials and soil - - - - -	42
For the protection of sewers of the council - - - - -	44
Inspection of works by council - - - - -	46
Walls of buildings to be made good - - - - -	47
Exhibition of placards in the county of London - - - - -	50
For the protection of the sewers of district boards and vestries - - - - -	51
For protection of the Gas Light and Coke Company - - - - -	59
Company empowered to underpin or otherwise strengthen houses near railway - - - - -	73
Agreements with council and local authorities - - - - -	89

THE LONDON ACT OF 1899.

Special provisions as to use of electrical power - - - - -	7
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THE LONDON ACT OF 1902.

As to powers of Board of Trade in respect of use of mechanical power - - - - -	9
As to unsightly hoardings - - - - -	19
Buildings not to be brought beyond general line &c. - - - - -	20

[Ch. lxxxviii.] *London Electric*. [20 & 21 GEO. 5.]
*Metropolitan District Central London and City and
 South London Railway Companies Act, 1930.*

A.D. 1930.

Marginal Note of Section.	No. of Section.
Objects of interest to be at disposal of London County Council - - - - -	21
Application of London Building Acts - - - - -	29
Amending sections 50 and 51 of Act of 1893 - - - - -	33
General provisions for protection of water gas hydraulic power and telephonic companies or undertakers under any Electric Lighting Order - - - - -	67
For protection of Postmaster-General (as amended by section 94 subsection (3) of the London Act of 1926) - - - - -	76
THE LONDON ACT OF 1903.	
Power to hold sell &c. lands - - - - -	23
THE LONDON ACT OF 1923.	
Company not to carry animals and goods - - - - -	52
THE LONDON ACT OF 1926.	
As to private street expenses in certain cases - - - - -	98
THE LONDON ACT OF 1929.	
For protection of companies and local authorities supplying electricity - - - - -	27

SECOND SCHEDULE.

MARGINAL NOTES AND NUMBERS OF SECTIONS OF ACTS
 INCORPORATED WITH PART III (DISTRICT COMPANY
 —WIDENINGS) OF THIS ACT.

Marginal Note of Section.	Number of Section.
THE DISTRICT ACT OF 1897.	
Walls of buildings to be made good - - - - -	36
As to exhibition of placards within county of London - - - - -	38
General provisions for protection of water gas hydraulic power and electric companies - - - - -	40
Deposit of objects of interest - - - - -	53
Company empowered to underpin or otherwise strengthen houses near railway - - - - -	58
Provisions as to use of electric power - - - - -	87

[20 & 21 GEO. 5.] *London Electric* [Ch. lxxxviii.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

Marginal Note of Section.	Number of Section.	A.D. 1930.
—		
THE DISTRICT ACT OF 1901.		
For protection of Postmaster-General - - -	12	
	(As amended by section 94 sub- section (3) of the London Act of 1926.)	
THE DISTRICT ACT OF 1903.		
Protection of gas and water mains of local authorities - - - - -	7	
Application of London Building Acts - - -	26	
Persons under disability may grant easements &c. - - - - -	40	
Power to company to build sell let deal use or dispose of shops buildings &c. - - -	95	
THE LONDON ACT OF 1926.		
As to private street expenses in certain cases	98	

THIRD SCHEDULE.

MARGINAL NOTES AND NUMBERS OF SECTIONS OF ACTS
 INCORPORATED WITH PART IV (CENTRAL COMPANY
 —SUBWAYS AND WORKS) OF THIS ACT.

Marginal Note of Section.	Number of Section.
—	
THE CENTRAL ACT OF 1891.	
Motive power - - - - -	8
Persons authorised to convey lands may grant easements - - - - -	34
Provisions as to cellars under streets not referenced - - - - -	43
Conditions to be observed in opening road for boring purposes - - - - -	44
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

[Ch. lxxxviii.] *London Electric* [20 & 21 GEO. 5.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

A.D. 1930.	Marginal Note of Section.	Number of Section.
	Inspection of works by council - - -	53
	Exhibition of placards in the county of London - - - - -	54
	For the protection of sewers of district boards or vestries - - - - -	55
	Deposit of objects of interest - - -	69
	General provisions for protection of water gas hydraulic power and electric com- panies - - - - -	85
	For protection of the Gas Light and Coke Company - - - - -	86
	Company empowered to underpin or other- wise strengthen houses near railway - -	97
	THE CENTRAL ACT OF 1901.	
	For protection of Postmaster-General - -	8
	THE CENTRAL ACT OF 1902.	
	Power to retain sell &c. lands - - -	7
	Agreements as to stations &c. - - -	10
	THE CENTRAL ACT OF 1907.	
	Subsection (1) For protection of London County Council - - - - -	21
	For protection of Metropolitan Water Board	24
	For protection of Commissioners of Works -	26
	THE CENTRAL ACT OF 1909.	
	As to removal of letter boxes - - -	17
	As to erection of buildings - - -	27
	Amendment of section 10 of Act of 1902 -	34
	THE CENTRAL ACT OF 1913.	
	For protection of London County Council -	21 subsections (3) and (5) thereof.
	For protection of Metropolitan Water Board	30
	Agreements with local authorities &c. - -	42
	THE CENTRAL ACT OF 1914.	
	For protection of London County Council -	23
	THE LONDON ACT OF 1926.	
	As to private street expenses in certain cases	98

[20 & 21 GEO. 5.] *London Electric* [Ch. lxxxviii.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

FOURTH SCHEDULE.

A.D. 1930.

MARGINAL NOTES AND NUMBERS OF SECTIONS OF ACTS
 INCORPORATED WITH PART V (CITY COMPANY AND
 DISTRICT COMPANY—SUBWAY) OF THIS ACT.

Marginal Note of Section.	Number of Section.
THE CITY ACT OF 1903.	
For protection of Postmaster-General - - -	8
Provisions as to cellars under streets not referenced - - - - -	20
Conditions to be observed in opening road for boring purposes within the city - -	22
Inspection of works by corporation - -	24
Supervision of works by corporation - -	25
As to booking offices and stations in city -	27
Compensation for damage to corporation property - - - - -	28
For protection of sewers in city - - -	29
Indemnity to corporation - - - -	34
Deposit of objects of interest - - -	36
As to carting materials and soil - - -	39
For the protection of sewers of the council -	40
Conditions to be observed in opening streets for boring purposes - - - - -	44
Machinery to be screened from view - -	45
Application of London Building Acts - -	46
As to works near the surface of street - -	50
Exhibition of placards - - - - -	52
General provisions for protection of water gas hydraulic power and electric com- panies - - - - -	72
Company empowered to underpin - - -	77

[Ch. lxxxviii.] *London Electric* [20 & 21 GEO. 5.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

A.D. 1930.

FIFTH SCHEDULE.

PART I.

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

Where situate. No. on deposited plans.

RAILWAY No. 1.

Metropolitan borough of Islington - - - - -	1 2 3.
Borough of Hornsey - - - - -	1 3 4.
Metropolitan borough of Stoke Newington - - - - -	1 2 3a 9 10 11 12 14 15 17 to 44 (inclusive) 44a 45 47 to 57 (inclusive).
Urban district of Tottenham -	1 2 3 4 5 6a 7 8 9 9a 9b 9c 11 12 13 14 15 17 18 19 21 to 33 (inclusive) 33a 34 to 44 (inclusive) 45 46 to 53 (inclusive) 56 57 57a 58 to 66 (inclusive) 68 70 71 73 to 85 (inclusive) 87 88 89.

RAILWAY No. 2.

Urban district of Tottenham -	93.
Urban district of Wood Green -	8 to 13 (inclusive) 15 17 to 26 (inclusive) 30 to 57 (inclusive) 59 to 63 (inclusive) 64 65 66 68 to 76 (inclusive) 78 to 83 (inclusive) 84a 86 to 92 (inclusive) 93 93a 94 to 103 (inclusive) 105 to 109 (inclusive) 111 to 132 (inclusive) 134 135 136 138.
Urban district of Southgate -	35.

RAILWAY No. 3.

Urban district of Southgate -	35 36 39 40 41 42 42a 43 43a 44 45 103.
Urban district of East Barnet Valley - - - - -	7 to 12 (inclusive).

SUBWAY No. 3.

Metropolitan borough of Chelsea - - - - -	2 to 5 (inclusive) 7.
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[20 & 21 GEO. 5.] *London Electric* [Ch. lxxxviii.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

Where situate.	No. on deposited plans.	A.D. 1930.
SUBWAY No. 5.		
City and metropolitan borough of Westminster - - -	8.	
SUBWAY No. 6.		
Metropolitan borough of St. Pancras - - -	2 3.	
SUBWAY No. 7.		
Metropolitan borough of St. Pancras - - -	35 36 37.	
SUBWAY No. 8.		
Metropolitan borough of St. Pancras - - -	12 to 18 (inclusive) (inclusive).	21 to 27 (inclusive).
SUBWAYS NOS. 9 AND 10.		
Metropolitan borough of St. Marylebone - - -	6 to 10 (inclusive) (inclusive).	12 to 22 (inclusive).
SUBWAY No. 11.		
Metropolitan borough of Holborn - - -	44.	
Metropolitan borough of St. Pancras - - -	57 58 59.	

PART II.

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

Where situate.	No. on deposited plans.	
SUBWAY No. 13 AND WORK No. 9.		
Metropolitan borough of St. Marylebone - - -	2 3 4 5.	
SUBWAYS NOS. 14 AND 15.		
Metropolitan borough of Holborn - - -	35 36 37 38.	
SUBWAYS NOS. 16 AND 17 AND WORK No. 10.		
Metropolitan borough of Holborn - - -	3 to 11 (inclusive) to 25 (inclusive)	15 16 18 27 28 29 31.

[Ch. lxxxviii.] *London Electric* [20 & 21 GEO. 5.]
*Metropolitan District Central London and City and
 South London Railway Companies Act, 1930.*

A.D. 1930.

SIXTH SCHEDULE.

PART I.

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

Where situate.	No. on deposited plans.
RAILWAY No. 1.	
Borough of Hornsey - - -	3.7.
Borough of Stoke Newington - -	3a 8 9 11 12.
Urban district of Tottenham - -	89.
RAILWAY No. 2.	
Urban district of Wood Green -	26 66 135 136 138.
Urban district of Southgate -	2 3 4 6 to 9 (inclusive) 10 11 20 21 22 23 25 27a 28 31 31a 32 34 35.
RAILWAY No. 3.	
Urban district of Southgate -	35 36 37a 38a 39 46 57 79 80 82 87 88 89 89a 89b 97 to 105 (inclusive) 105a 106 to 110 (inclusive) 112 to 131 (inclusive).
Urban district of Enfield -	1 2 3 4 130 131.
Urban district of East Barnet Valley - - - - -	1 to 6 (inclusive).
SUBWAY No. 8.	
Metropolitan borough of St. Pancras - - - - -	20 21 22.
WORK No. 1.	
Royal and metropolitan borough of Kensington - -	2 4.
City and metropolitan borough of Westminster - - - -	17 19 20 21.
WORK No. 2.	
Metropolitan borough of Chelsea - - - - -	9 11.
City and metropolitan borough of Westminster - - - -	24 25 26.

[20 & 21 GEO. 5.] *London Electric* [Ch. lxxxviii.]
Metropolitan District Central London and City and
South London Railway Companies Act, 1930.

Where situate.	No. on deposited plans.	A.D. 1930.
WORK No. 3.		
City and metropolitan borough of Westminster - - -	5.	
WORK No. 4.		
City and metropolitan borough of Westminster - - -	8 9.	
WORK No. 5.		
Metropolitan borough of St. Pancras - - -	2 3.	
WORK No. 6.		
Metropolitan borough of St. Pancras - - -	33.	
WORK No. 7.		
Metropolitan borough of Pad- dington - - -	3.	
Metropolitan borough of St. Marylebone - - -	19.	
WORK No. 8.		
Metropolitan borough of Holborn - - -	44 45.	

PART II.

PROPERTIES OF WHICH PARTS ONLY MAY BE TAKEN BY
THE METROPOLITAN DISTRICT RAILWAY COMPANY.

Where situate.	No. on deposited plans.
WIDENING No. 1.	
Urban district of Brentford and Chiswick - - -	8.
WIDENINGS NOS. 1 AND 2.	
Borough of Ealing - - -	5 7 10 11 12 13 16 17 21 to 32 (inclusive) 44 45 48 to 64 (in- clusive) 67 69 70 76 to 127 (inclusive) 130 132 133 134 140 144 to 164 (inclusive) 164a 165 to 172 (inclusive) 174 178 180.

[Ch. lxxxviii.] *London Electric* [20 & 21 GEO. 5.]
*Metropolitan District Central London and City and
 South London Railway Companies Act, 1930.*

A.D. 1930.	Where situate.	No. on deposited plans.
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WIDENINGS NOS. 3 AND 4.

Urban district of Heston and Isleworth	- - - -	3 4 6 to 23 (inclusive).
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WIDENING No. 5.

Metropolitan borough of Ham- mersmith	- - - -	3 4 5.
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PART III.

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

Where situate.	No. on deposited plans.
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SUBWAY No. 13 AND WORK No. 9.

Metropolitan borough of St. Marylebone	- - - -	8 to 14 (inclusive).
City and metropolitan borough of Westminster	- - - -	4 5.

SUBWAYS NOS. 14 AND 15.

Metropolitan borough of Holborn	- - - -	34 35 36.
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SUBWAYS NOS. 16 AND 17 AND WORK No. 10.

Metropolitan borough of Holborn	- - - -	14 15 16 22.
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