



CHAPTER cxii.

An Act to empower the London Electric Railway Company to construct new railways and a subway and works and to raise additional moneys to empower the Metropolitan District Railway Company to acquire lands to empower the Central London Railway Company to construct subways and works and to confer further powers on the said companies and on the City and South London Railway Company and for other purposes. A.D. 1931.
—
[7th October 1931.]

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

And whereas the railways 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 :

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

And whereas it is expedient that the powers in relation to the raising of additional moneys should be conferred on the London Company as in this Act provided :

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 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 county councils of the administrative counties of London and Middlesex and are hereinafter respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the London Electric Metropolitan District and Central London Railway Companies (Works) Act 1931.

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| 2. This Act is divided into Parts as follows :— | A.D. 1931. |
| Part I.—Preliminary. | |
| Part II.—London Company—Railways subway and lands. | Division of Act into Parts. |
| Part III.—District Company—Lands. | |
| Part IV.—Central Company—Subways and works. | |
| Part V.—General provisions as to lands and works. | |
| Part VI.—London Company—Financial provisions. | |
| Part VII.—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—

- (1) Any question of disputed compensation under this Act or any Act incorporated herewith (other than a question required to be determined by two justices) shall be determined by a single arbitrator to be agreed upon by the London Company or the District Company or the Central Company 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;
- (2) Any bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the common seal of the London Company or the District Company or the Central Company as the case may be and shall be sufficient without the addition of the sureties mentioned in that section.

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the following matters

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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 subways and other
works by this Act authorised.

The provisions of the Companies Clauses Con-
solidation 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;

The forfeiture of shares for non-payment of
calls;

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;

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The application of capital;

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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 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 three Companies" means the London Company the District Company and the Central Company;

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- “the railways” means the railways by this Act authorised and “the railway” means any of such railways;
- “the subways” means the subways and the conveniences connected therewith by this Act authorised and “the subway” means any of such subways;
- “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 respectively;
- “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;
- “the London Act of 1919” means the London Electric Railway Act 1919;
- “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 Act of 1929” means the London Electric Metropolitan District and City and South London Railway Companies Act 1929;
- “the London Act of 1930” means the London Electric Metropolitan District Central London and City and South London Railway Companies Act 1930;

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“ the London Acts of 1910 to 1930 ” means the London Acts of 1910 to 1914 and the London Acts of 1919 1922 1923 1926 and 1930; A.D. 1931.
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“ 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;

“ 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 SUBWAY AND LANDS.

5. Subject to the provisions of this Act the London Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the railways subway 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 purpose connected with its undertaking and in connection with the said railways (other than Railway No. 3) subway and works the London Company may construct and maintain entrances steps lifts escalators shafts passages inclines and other approaches and conveniences connecting the said railways

Power to London Company to make railways subway and works.

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A.D. 1931. (other than Railway No. 3) subway 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 public street or road but (subject as aforesaid) the London Company may enter upon take use and 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 railways subway 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 railways and subway. 6. The railways and subway hereinbefore referred to and authorised by this Part of this Act will be situate in the county of London and are—

Railway No. 1 A railway 1 mile and 5.75 chains or thereabouts in length situate partly in the metropolitan borough of Southwark and partly in the metropolitan borough of Camberwell commencing in the metropolitan borough of Southwark by a junction with the London Company's existing railway at the southern end of the London Company's existing Elephant and Castle station at a point 50 yards or thereabouts measured in a south-easterly direction from the southern corner of the premises known as No. 76 London Road and 65 yards or thereabouts measured in a north-westerly direction from the north-west corner of the Elephant and Castle public house and terminating in the metropolitan borough of Southwark beneath Camberwell Road at its junction with Addington Square and Avenue Road at a point 12 yards or thereabouts measured in a south-westerly direction from the south-west corner of the forecourt of the premises known as No. 129 Camberwell Road and 17 yards or thereabouts measured in a north-westerly direction from the north-west

corner of the forecourt of the premises known as No. 131 Camberwell Road; A.D. 1931.

Railway No. 2 A railway 5 furlongs and 2·25 chains or thereabouts in length situate partly in the metropolitan borough of Southwark and partly in the metropolitan borough of Camberwell commencing in the metropolitan borough of Southwark by an end-on junction with Railway No. 1 at the termination thereof hereinbefore described and terminating in the metropolitan borough of Camberwell beneath Selbourne Road at a point 13 yards or thereabouts measured in an easterly direction from the south-west corner of the premises known as No. 57 Denmark Hill and 19 yards or thereabouts measured in a north-easterly direction from the north-west corner of the premises known as No. 59 Denmark Hill;

Railway No. 3 A railway 1 furlong and 9·5 chains or thereabouts in length situate partly in the metropolitan borough of Camberwell and partly in the metropolitan borough of Lambeth commencing in the metropolitan borough of Camberwell by an end-on junction with Railway No. 2 at the termination thereof hereinbefore described and terminating in the metropolitan borough of Lambeth beneath Denmark Hill at a point 130 yards or thereabouts measured in a south-easterly direction from the south-east corner of the forecourt of the premises known as No. 146 Denmark Hill and 127 yards or thereabouts measured in a southerly direction from the south corner of the forecourt of the premises known as No. 103 Denmark Hill;

Subway No. 1 A subway situate wholly in the metropolitan borough of Holborn commencing under the roadway of Russell Square at a point 34 yards or thereabouts measured in a westerly direction from the north-west corner of the area of the premises known as the Hotel Russell and 32 yards or thereabouts measured in a south-westerly direction from the south-west corner of the premises known as No. 1

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Woburn Place and terminating under the roadways of Russell Square Bernard Street and Woburn Place at their junction at a point 14 yards or thereabouts measured in a north-westerly direction from the north-west corner of the area of the premises known as the Hotel Russell and 14 yards or thereabouts measured in a southerly direction from the south-west corner of the premises known as No. 1 Woburn Place.

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 subway 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 metropolitan borough or urban or rural district had been mentioned or referred to therein instead of board of works or vestry and as if the subway 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 Central Electricity Board and the London and Home Counties Joint Electricity Authority as fully as if such company board or authority were one of the protected companies in such section named. A.D. 1931.
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8. The following provisions shall apply to the construction of the railways by this Part of this Act authorised:— General provisions as to mode of construction.

(1) Railways Nos. 1 and 2 shall respectively be constructed in two tunnels for separate up and down traffic except at crossovers where they may be constructed in single tunnels of enlarged diameter and Railway No. 3 shall be constructed in separate tunnels except at crossovers where it may be constructed in single tunnels of enlarged diameter:

(2) Railways Nos. 1 and 2 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;

(c) The station tunnels of Railways Nos. 1 and 2 shall not have an internal diameter exceeding thirty feet the crossover and junction tunnels of the railways shall not have an internal diameter exceeding forty feet and the tunnels

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between the stations in the cases of Railways Nos. 1 and 2 shall not (except at crossovers sidings and junctions or where necessary for adjustment at curves) have an internal diameter exceeding fourteen feet and the tunnels in the case of Railway No. 3 shall not (except as aforesaid) have an internal diameter exceeding sixteen feet and the internal diameter of the shafts shall not exceed forty feet;

- (d) Any space between the lining of the tunnels (including station crossover sidings 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 tunnel at the working-face 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 and subway 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.

Power to deviate vertically.

10. In the execution of the railways subway 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. A.D. 1931.

11.—(1) Subject to the provisions of this Act the London Company may for the purpose of constructing the railways and subway 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 and footways as is within the limits of deviation shown on the deposited plans in respect of the said railways and subway that is to say In the metropolitan borough of Camberwell at Camberwell Green and Denmark Hill at their junction and in the metropolitan borough of Holborn Russell Square Bernard Street and Woburn Place at their junction; and

(b) may make and maintain permanent openings in so much of the above mentioned roadways and footways at Camberwell Green Denmark Hill Russell Square Bernard Street and Woburn Place 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

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A.D. 1931. 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 or the subway by this Part of this Act authorised Provided always that the London Company 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.

Lands and easements for extension &c. of Knightsbridge station.

12. 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 enter upon take use and appropriate and may hold and use for the purpose of extending improving altering and adding to its Knightsbridge station and the works in connection therewith authorised by the London Act of 1930 and for the general purposes of its undertaking 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 county of London (that is to say):—

All those lands houses buildings and premises situate in the metropolitan borough of Chelsea known as Nos. 23 and 25 Brompton Road and the portion of the roadway and footways of the Brompton Road adjacent thereto situate partly in the metropolitan borough of Chelsea and partly in the city and metropolitan borough of Westminster;

and may appropriate and use without payment therefor the subsoil and undersurface of the roadway and footways of so much of Brompton Road as is within the limits of deviation shown on the said portion of the deposited plans and described in the said part of the deposited book of reference and may construct and maintain on in or under the said lands houses buildings and other property and under the said roadway and footways shafts lifts escalators stairways tunnels subways inclines approaches passages and other works and conveniences.

13. 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 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 in this section 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 (that is to say) :—

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—
Additional
lands.

In the county of London—

- (a) Certain lands houses buildings and other property situate wholly in the metropolitan borough of Holborn at the junction of Woburn Place and Russell Square and known as Nos. 53 54 55 56 57 and 58 Woburn Place and Nos. 9 and 10 Russell Square and the garage and premises in the rear thereof;
- (b) Certain lands houses buildings and other property situate wholly in the metropolitan borough of Saint Pancras and known as Nos. 180 and 182 High Street Camden Town;

In the county of Middlesex—

- (c) Certain lands and property situate wholly in the parish of Edgware in the rural district of Hendon and comprising a strip of land of a maximum width of 90 feet on the west side of the London Company's existing railway near its Edgware station extending from the wall on the south-east side of the garage building of the London General Omnibus Company Limited to the fence on the north side of the railway of the London and North Eastern Railway Company.

14.—(1) The London Company may divert raise and stop up so much of the existing footpath in the parish of Edgware in the rural district of Hendon in the county of Middlesex leading from Church Lane to Deans Lane between the points marked respectively A and B on the deposited plan relating to additional lands in the county of Middlesex and in lieu of such portion of the said footpath the London Company may

Power to
stop up
existing
and to
construct
new foot-
path at
Edgware.

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(2) The stopping up of the said existing footpath shall not take place until the new footpath has been completed to the satisfaction of the road authority and is opened for public use or in case of difference between the London Company and the said road authority until two justices shall have certified that the new footpath has been completed to their satisfaction and is opened for public use.

(3) As from the completion of the new footpath to the satisfaction of the road authority or as from the date of the said certificate as the case may be all public rights of way (if any) over or along the said portion of the existing footpath shall be extinguished.

As to
buildings
upon lands
of London
Company.

15. 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.

16. If either Railway No. 1 or Railway No. 2 or the subway 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-six 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 or subway which is not so completed or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Imposing
penalty
unless rail-
way opened.

17. If the London Company commences the construction of Railway No. 1 or Railway No. 2 and fails within the period limited by this Act to complete such

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railway the London Company shall be liable to a penalty of fifty pounds a day 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 Accountant-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.

18. 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 retransferred to the London Company.

Fares rates
and charges.

19. The London Company may demand and take for the conveyance on Railways Nos. 1 and 2 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 Railways Nos. 1 and 2 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
under-
taking.

20. Subject to the provisions of this Act the railways subway and works by this Part of this Act authorised shall for all purposes whatsoever form part of the undertaking of the London Company but Railway No. 3 shall be used only as sidings for the purposes of depot and siding accommodation and not for the conveyance of passengers.

As to
Camberwell
Green.

21. Nothing in this Act shall authorise the London Company to erect any building or structure on the surface of the garden enclosure known as Camberwell Green or to take any part of the surface of that garden enclosure or to construct any station thereunder.

For pro-
tection of
Southern
Railway
Company.

22. For the protection of the Southern Railway Company (in this section referred to as "the Southern Company") the following provisions shall notwithstanding anything in this Act or shown on the deposited plans and sections and unless otherwise agreed in writing

between the London Company and the Southern Company A.D. 1931.
apply and have effect (that is to say) :—

(1) The London Company shall not under the powers of this Act purchase or acquire by compulsion any lands or property of the Southern Company or any interest in such lands or property other than an easement or right of using so much of the subsoil of the lands of the Southern Company numbered on the deposited plans 60 and 71 in the metropolitan borough of Southwark as may be necessary for the purposes of constructing and maintaining Railway No. 1 by this Act authorised and the Southern Company shall if so required by the London Company grant and convey such easement to the London Company. The amount to be paid for the acquisition of such easement shall be determined in case of difference in the manner provided by the Lands Clauses Acts as amended by this Act with respect to the purchase of lands otherwise than by agreement and for the purposes of such determination the acquisition of such easement shall be deemed to be a taking of land within the meaning of the Lands Clauses Acts as amended by this Act :

(2) Before commencing the construction of so much of Railway No. 1 and all works in connection therewith as shall or may pass under or in any way affect the lands railways viaduct works and other property of the Southern Company (in this section referred to as "the property of the Southern Company") or be within 100 feet thereof (which said portion of Railway No. 1 and works are in this section referred to as "the railway") the London Company shall submit to the engineer of the Southern Company (in this section referred to as "the engineer") for his reasonable approval plans sections detailed drawings and specifications of the railway (including particulars of the strength and quality of materials) and of the stages by which it is intended to construct the same. Provided that if the engineer shall not signify

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his disapproval or requirements within 28 days after the submission to him of the said plans sections drawings specifications and particulars he shall be deemed to have approved of the same. The railway shall be constructed only in accordance with such plans sections drawings specifications and particulars as shall be approved as aforesaid or settled by arbitration as in this section provided :

- (3) Before the London Company commence the construction of the railway any temporary works which in the opinion of the engineer may be reasonably necessary to ensure the stability of the property of the Southern Company shall be carried out by and at the cost of the London Company to the reasonable satisfaction of the engineer or the Southern Company may if they so elect themselves carry out such temporary works for the London Company and the reasonable cost thereof and any reasonable expense in connection therewith (including compensation payable to any workmen whilst employed by the Southern Company in and about such works or their legal representatives or dependants in respect of the injury or death of such workmen) shall be repaid by the London Company to the Southern Company on demand :
- (4) Before commencing the construction or the structural alteration renewal or repair of the railway the London Company shall give (except in case of emergency) twenty-eight days' previous notice in writing to the engineer of their intention to commence the same and in case of emergency the London Company shall give the Southern Company the longest notice which they can reasonably give having regard to the urgency of the works to be executed. Any such notice shall be accompanied by a reasonably sufficient description of the works to be executed. The construction of the railway when commenced shall (subject to the provisions of this section) proceed without cessation and with all reasonable dispatch :

- (5) If at any time it shall appear to the engineer either during the construction or after the completion of the railway that owing to or in consequence of the execution thereof any additional works or other measures of precaution are reasonably required either by way of underpinning the property of the Southern Company or by way of addition thereto or in connection with the railway or in relation to the method of construction of the railway so as to prevent subsidence damage or injury happening to the property of the Southern Company the London Company shall on being required in writing by the engineer make and execute at their own expense and according to plans sections and specifications to be reasonably approved by him such additional works or take such measures of precaution (including the temporary cessation of the construction of the railway) as the engineer shall reasonably require :
- (6) The London Company shall at their own expense at all times maintain the railway and all the works both temporary and permanent necessary and incident to the construction thereof or affecting the property of the Southern Company and also any additional works which may be constructed under the provisions of subsection (5) of this section 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 property of the Southern Company and if and whenever the London Company fail so to do after fourteen days' notice in writing to be given by the Southern Company to the London Company or in case of emergency the Southern Company may make and do in and upon as well the lands and railway of the London Company as their own lands all such works and things as the engineer may 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 on demand :

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- (7) The London Company shall execute all protective works within the powers of the London Company and take such other precautions (including the use of compressed air at an approved pressure and grouting with approved Portland cement) as shall be reasonably necessary for ensuring the safety of the property of the Southern Company and such protective works when commenced shall be proceeded with without cessation :
- (8) During the construction of the railway so far as the same affects the property of the Southern Company the London Company shall bear and pay to the Southern Company the reasonable expense of the employment by them of a sufficient number of inspectors and watchmen to be appointed by them (including compensation payable to any workmen who may be injured or killed whilst so employed or their legal representative or dependants) for inspecting watching and lighting their property with reference to and during the construction of the railway and for preventing as far as may be all interference obstruction danger and accident arising from any of the operations of the London Company and from the acts or defaults of their contractors or of any person in their respective employ :
- (9) The London Company shall at all times afford reasonable facilities to the engineer and to any person authorised by him for access to the railway during its construction and shall also furnish the engineer with all information he may reasonably require with regard to the railway or the method of construction thereof :
- (10) Any additional expense which the Southern Company may reasonably incur in maintaining their railways or works by reason or in consequence of the construction or user of the railway shall be paid by the London Company to the Southern Company :
- (11) The London Company shall not in making and maintaining the railway in any manner obstruct

or interfere with the free uninterrupted and safe user of or with the access to the property of the Southern Company or the traffic thereon and if at any time or times hereafter the free uninterrupted and safe user of the property of the Southern Company or the traffic thereon or the access to the said property shall be obstructed or interfered with contrary to this enactment the London Company shall pay to the Southern Company all costs and expenses to which they may be put as well as full compensation for the loss and inconvenience sustained by them by reason of such obstruction or interference :

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- (12) The London Company shall be responsible for and make good to the Southern Company all reasonable costs charges losses damages and expenses not otherwise herein provided for which may be occasioned to the Southern Company or to the property of the Southern Company or to any person or persons lawfully using the same by reason of the construction alteration maintenance or failure of the railway or of any act or omission of the London Company or of their contractors or of any person in the employ of either of them and the London Company shall effectually indemnify and hold harmless the Southern Company from all claims and demands upon or against them by reason of such construction alteration maintenance failure act or omission :
- (13) The fact that any work or thing has been done by the London Company in accordance with any plan section drawing specification or particulars approved by the engineer or under his supervision shall not excuse the London Company from any liability or affect any claim of the Southern Company for injury to their property or the traffic thereon :
- (14) Except as provided in subsection (1) of this section any difference which may arise between the London Company and the Southern Company (including any difference as to the reasonableness

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of any action thing or requirement) under this section shall be referred to and determined by an engineer 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 any such reference and determination.

For protection of London and North Eastern Railway Company.

23. Notwithstanding anything contained in this Act or shown on the deposited plans the London Company shall not without the consent of the London and North Eastern Railway Company enter upon take use or appropriate the lands numbered on the deposited plans 1 in the parish of Edgware or any part thereof.

For protection of Fish-mongers' Company.

24. The following provisions for the protection of the wardens and commonalty of the Mistery of Fish-mongers of the City of London or other the owners from time to time of the properties numbered on the deposited plans 79 80 81 82 83 84 85 139 140 144 145 146 and 147 in the metropolitan borough of Southwark (in this section called "the owners") shall unless otherwise agreed in writing between the owners and the London Company apply and have effect (that is to say) :—

- (1) The London Company shall not without the consent of the owners enter upon take use or interfere with either temporarily or permanently the surface of any of the said properties but the London Company may acquire and the owners shall sell and grant to the London Company an easement or right of using so much of the subsoil or undersurface thereof as may be necessary for the purpose of the construction maintenance and user of Railway No. 1 by this Act authorised and works in connection therewith :
- (2) In the construction of Railway No. 1 aforesaid or any of the said works under any of the said properties or under any street roadway or footway on which the same abut the London Company shall not deviate vertically upwards to a greater extent than ten feet above the levels shown on the deposited plans :

- (3) If any difference shall arise between the London Company and the owners under the provisions of this section such difference shall be referred to an engineer to be agreed on between the owners 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 arbitration. A.D. 1931.

PART III.

DISTRICT COMPANY—LANDS.

25.—(1) Subject to the provisions of this Act the District Company may 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 in this section 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 (that is to say) :—

Lands at
Hammer-
smith.

Certain lands buildings and premises situate wholly in the metropolitan borough of Hammersmith in the county of London known as Nos. 15 17 33 and 33a The Broadway Hammersmith and portions of the lands buildings and premises known as Nos. 19 21 to 23 and 29 to 31 The Broadway Hammersmith and also the premises and passage in the rear of all such premises.

(2) Any lands acquired by the District Company under the powers of this section shall not at any time be or become surplus lands and premises of the District Company within the meaning of the Metropolitan District Railway Act 1908 nor shall such lands be subject to the provisions of sections 127 to 131 (inclusive) of the Lands Clauses Consolidation Act 1845 but the District Company may retain hold and use or may sell demise lease or otherwise dispose of such lands or any parts or part thereof or any rights or easements thereon therein or thereover.

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Incorporation of certain provisions of existing Acts.

26. The provisions of section 36 (Walls of buildings to be made good) and of section 38 (As to exhibition of placards within county of London) of the Metropolitan District Railway Act 1897 and of section 22 (Objects of interest to be at disposal of London County Council) of the Metropolitan District Railway Act 1906 are incorporated with and form part of this Part of this Act and shall mutatis mutandis extend and apply as if those provisions had been expressly re-enacted in this Part of this Act.

PART IV.

CENTRAL COMPANY—SUBWAYS AND WORKS.

Power to Central Company to make subways and works.

27. 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 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 :

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 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 A.D. 1931.
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.

28. 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— Description of works.

Subway No. 2 A subway situate wholly in the metropolitan borough of Holborn commencing under the roadway of High Holborn at a point 21 yards or thereabouts measured in a south-easterly direction from the south-east corner of the premises known as No. 4 High Holborn and 21 yards or thereabouts measured in a north-easterly direction from the north-east corner of the premises known as No. 333 High Holborn and terminating under the premises known as No. 24 High Holborn at a point 23 yards or thereabouts measured in an easterly direction from the south-east corner of the Chancery Lane station of the Central Company and 25 yards or thereabouts measured in a northerly direction from the north-east corner of the premises known as No. 317 High Holborn;

Work No. 1 A booking hall situate partly in the city of London and partly in the metropolitan borough of Holborn in and under the roadways of the streets known as Holborn High Holborn and Gray's Inn Road and the streets roads and places adjoining such roads and in and under the premises known as Nos. 4 5 6 7 8 333 335 336 337 and 338 High Holborn and Nos. 147 and 148 to 150 Holborn for and in connection with the Chancery Lane station of the Central Company with entrances from and exits to such booking hall to and from the surface of High Holborn Holborn and Gray's Inn Road and adjoining premises;

Work No. 2 An enlargement of the east-bound tunnel of the Central Company situate partly

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in the city of London and partly in the metropolitan borough of Holborn commencing in the metropolitan borough of Holborn at a point 16 yards or thereabouts measured in a south-easterly direction from the south-west corner of the premises known as No. 20 High Holborn and 27 yards or thereabouts measured in a north-easterly direction from the north-west corner of the premises known as No. 319 High Holborn and terminating in the city of London at a point 18 yards or thereabouts measured in a south-easterly direction from the south-west corner of the premises of the Prudential Assurance Company Limited at the south-east corner of Brooke Street and 27 yards or thereabouts measured in a northerly direction from the north-east corner of the premises known as No. 12 Holborn;

Subway No. 3 A subway situate wholly in the city of London commencing at a point 26 yards or thereabouts measured in a south-easterly direction from the south-east corner of the Central Telegraph Office and 20 yards or thereabouts measured in an easterly direction from the north-east corner of the premises known as Nos. 49 and 50 Newgate Street and terminating at a point 12 yards or thereabouts measured in a north-westerly direction from the south-west corner of the premises known as No. 80 Newgate Street and 9 yards or thereabouts measured in a north-easterly direction from the south-east corner of the premises known as No. 84 Newgate Street;

Work No. 3 A booking hall situate wholly in the city of London in and under the roadways of Newgate Street and the streets known as St. Martin's-le-grand and Cheapside and the streets roads and places adjoining such roads and in and under the area of the Central Telegraph Office and the premises known as Nos. 1 to 4 Cheapside Nos. 48 49 and 50 Newgate Street and Nos. 2 3 and 4 Panyer Alley for and in connection with the Post

Office station of the Central Company with entrances from and exits to such booking hall to and from the surface of Newgate Street and the streets known as St. Martin's-le-grand and Cheapside and adjoining premises. A.D. 1931.

29.—(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—

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 of the said subways and works that is to say Partly in the city of London and partly in the metropolitan borough of Holborn High Holborn and Holborn at their junction with the Gray's Inn Road and in the city of London Newgate Street St. Martin's-le-grand and Cheapside at their junction; and
- (b) may make and maintain permanent openings in the roadways and footways of so much of the above mentioned High Holborn Holborn Newgate Street St. Martin's-le-grand and Cheapside in the city of London as is within the said limits of deviation;

without being required to purchase any part of the surface or undersurface of such streets roadways footways and places 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 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 where any such streets roadways or footways are in the city of London to the town clerk of the city of London and to the Commissioner of City

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A.D. 1931. Police 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 works of the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Incorporating certain provisions of existing Acts.

30. The provisions contained in the sections and parts of sections of the Acts which are mentioned in the Second 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 Central

Electricity Board the London and Home Counties A.D. 1931.
 Joint Electricity Authority 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 such company board authority 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 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."

31. 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.

32. 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.

33. 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-six 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.

34. 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.

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Abandonment of certain subways.

35. The Central Company shall abandon the construction of subways Nos. 14 and 15 authorised by the London Act of 1930.

For protection of Postmaster-General.

36. For the protection of the Postmaster-General and his successors in office or other the owner for the time being of the property as hereinafter in this section defined and the persons deriving title under him or them (all of whom are in this section included in the expression "the Postmaster-General") the following provisions shall notwithstanding anything shown on the deposited plans or contained in this Act and unless otherwise agreed in writing between the Postmaster-General and the Central Company apply and have effect (that is to say):—

- (1) In this section the expression "the property" means the property numbered on the deposited plans 14 in the city of London being the Central Telegraph Office (otherwise known as the General Post Office West) and so much of the subsoil of the streets fronting on the said office as belongs to the Postmaster-General:
- (2) The Central Company shall not except with the consent in writing of the Postmaster-General enter upon take or use or purchase the property or any part thereof or any subsoil under any part thereof But the Central Company may acquire and the Postmaster-General will sell to the Central Company such right or easement in the subsoil of the property as may be necessary to enable the Central Company to construct and maintain Subway No. 3 and Work No. 3 and works in connection with such subway and work authorised by this Part of this Act Provided that the Central Company shall not (without the consent in writing of the Postmaster-General) construct any of the said works laterally in a northerly direction beyond the line drawn between the points marked respectively "A" and "B" on the plan signed in duplicate by Frederick Ebenezer Waters on behalf of the Postmaster-General and by Arthur Reginald Cooper on behalf of the Central Company one copy of which plan has been

deposited with the Postmaster-General and one with the Central Company and shall not (without such consent as aforesaid) deviate upwards from the levels shown on the sections drawn on the said plan. The Central Company shall pay to the Postmaster-General for any right or easement which they may so acquire other than a right or easement in the subsoil under any street such sum as may be agreed upon or failing agreement as shall be settled by arbitration in manner provided by the Lands Clauses Acts as varied by this Act with respect to the acquisition of lands otherwise than by agreement:

- (3) (a) The Central Company shall twenty-one days before commencing the construction of the works or any structural alteration or renewal thereof within one hundred feet (in this section called "the prescribed distance") of the face of the area wall of the Central Telegraph Office furnish to the Postmaster-General plans sections and specifications of the works as proposed to be executed by the Central Company within the prescribed distance and if at the expiration of 21 days from such delivery the plans sections and specifications are not approved by the Postmaster-General there shall be deemed to be a difference and such difference shall unless otherwise agreed be referred to arbitration under this section. Provided further that in respect of structural alterations or renewals the Central Company in cases of emergency shall give to the Postmaster-General the longest notice which can reasonably be given having regard to the urgency of the work to be executed;

(b) The works shall be constructed only in accordance with the provisions of this section and the plans sections and specifications approved by the Postmaster-General or (as the case may be) settled by the arbitrator;

(c) The construction and any structural alteration and renewal of the works shall be carried

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out under the supervision (if the same be given) and to the reasonable satisfaction of the Postmaster-General in accordance with the provisions of this section and the said plans sections and specifications :

- (4) The Central Company shall at all times maintain the works so far as the same shall be within the prescribed distance in substantial repair and good order and condition :
- (5) If it shall at any time appear to the Postmaster-General whether before or during the construction or after the completion of the works within the prescribed distance that any further or other works or appliances or measures of precaution are required whether in respect of the property or in connection with or in relation to the method of construction of the works so as to prevent subsidence or injury happening to the property the Central Company shall on being thereunto required by notice in writing given by the Postmaster-General make and carry out within the prescribed distance at the expense of the Central Company and according to plans sections and specifications to be reasonably approved by the Postmaster-General such works or take such measures of precaution as the Postmaster-General shall reasonably require Any difference between the Company and the Postmaster-General arising under this subsection shall be determined by arbitration as hereinafter provided :
- (6) If during and by the construction of the works the property shall be injured or damaged the Postmaster-General may forthwith make good such injury or damage and execute such protective works as he shall reasonably consider necessary for ensuring the safety of the property and the expense properly incurred by the Postmaster-General in so doing shall be repaid by the Central Company to the Postmaster-General:
- (7) Any question by this section referred to arbitration and any difference which may arise between the Central Company and the engineer of the

Central Company on the one hand and the Postmaster-General on the other hand under the provisions of this section shall unless otherwise agreed or provided be referred to and determined by an engineer to be agreed upon between the parties in difference or failing such 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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37. For the protection of the mayor aldermen and commons of the city of London (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed between the Central Company and the corporation have effect (that is to say) :—

For protection of corporation of London.

(1) Any part of the subways and works authorised by this Part of this Act within the city of London (hereinafter in this section called "the city") which will be within twenty-five feet of the surface of any street road or open space within the city shall be constructed in accordance with plans sections and specifications previously submitted to and reasonably approved by the corporation in writing and subject to such conditions and requirements as the corporation may reasonably impose :

(2) At least fourteen clear days before commencing any vertical borings from the surface of any part of any street within the city the Central Company shall serve notice in writing of their intention to commence the same on the corporation 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 corporation the matter shall unless otherwise agreed between them be determined by arbitration as in this section provided before the boring is commenced but if within such period no such objection is made the said borings may be proceeded with.

The Central Company shall not except with the consent of the corporation carry on any

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work of boring through any part of the surface of a street within the city except between the hours of ten p.m. and eight a.m.

The Central Company shall furnish to the corporation full and detailed information as to the strata traversed in any boring for the purposes of the aforesaid subways and works :

- (3) Before breaking up or interfering with any portion of the surface of any street or place within the city the Central Company shall give not less than fourteen days' notice in writing to the town clerk of the city and to the Commissioner of the 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 :
- (4) Any opening made under the section of this Act of which the marginal note is " Breaking up " surface of streets and permanent openings " therein " in any street in the city shall be timbered or otherwise covered over by the Central Company 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 every Saturday or such other hours as may be agreed between the Central Company and the corporation :
- (5) The subways and works authorised by this Part of this Act within the city shall be executed in all respects to the reasonable satisfaction of the corporation who may supervise the mode in which the same are carried out Provided always that the supervision as aforesaid by the corporation shall not exonerate the Central Company from any liability for damage caused by any of such works The Central Company shall not in the execution of any part of the subways and works which will be within twenty-five feet of the surface of any public roadway within the city exercise their powers of deviation under the sections of this Act of

which the marginal notes are "Power to deviate laterally" and "Power to deviate vertically" without the previous consent in writing of the corporation Provided always that such consent shall not be unreasonably withheld : A.D. 1931.
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- (6) The Central Company shall make full compensation to the corporation for any damage to or subsidence of any buildings sewer drain or work under the jurisdiction or control of the corporation in or under any street road or footway in or under which any part of the said subways and works may be executed by the Central Company which may be caused by or in consequence of the exercise of any powers under this Act or by any act or default of the Central Company their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the said subways and works or at any time thereafter :
- (7) In the construction of so much of the said subways and works as are within the city the Central Company shall not unless with the consent of the corporation permit or suffer any cart waggon or other vehicle employed in removing from or bringing to the said works any soil materials or plant to be loaded or unloaded in any part of the public thoroughfare except between the hours of seven p.m. and eight a.m. and shall not permit or suffer any cart waggon or other vehicle to carry any soil excavated from the said subways and works through the streets of the city between the hours of eight a.m. and seven p.m. except in carts or waggons so constructed as to prevent any of such soil dropping therefrom and if the Central Company their contractors servants or agents commit any breach of this subsection they shall be liable to a penalty not exceeding forty shillings for each offence and any such penalty may be recovered in a summary manner before a court of summary jurisdiction :
- (8) (a) Where any of the works to be done under or by virtue of this Act may pass over under or

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by the side of or so as to interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the corporation or with any sewers or works to be made or executed by the corporation or shall or may in any way affect the sewerage or drainage of the districts under their control the Central Company shall not commence such works until they shall have given to the engineer or surveyor of the corporation twenty-eight days' previous notice with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until the corporation shall have signified their approval of the same which approval shall not be unreasonably withheld Provided that if the corporation do not signify their approval or disapproval within twenty-eight days after service of the said plan section and particulars as aforesaid they shall be deemed to have approved thereof;

(b) The Central Company shall comply with and conform to all reasonable directions and regulations of the corporation in the execution of the said works and shall provide by new altered or substituted works in such manner as the corporation may deem necessary for the proper protection of and for preventing injury or impediment to the sewers and works hereinbefore referred to by or by reason of the said intended works or any part thereof and shall save harmless the corporation against all and every the expense to be occasioned thereby and all such works may be done by or under the direction superintendence and control of the engineer or other officer of the corporation and at the costs charges and expenses in all respects of the Central Company;

(c) All reasonable costs charges and expenses which the corporation may be put to by reason of the works of the Central Company whether in the execution of works the preparation or examination of plans or designs supervision or otherwise shall be paid to the corporation by the Central Company on demand and be a

debt due from the Central Company to the corporation ; A.D. 1931.

(d) When any new altered or substituted works as aforesaid or any works or defences connected therewith shall be completed by or at the costs charges and expenses of the Central Company under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the corporation as any sewers or works now are or hereafter may be ;

(e) Nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the corporation or their successors but all such rights powers or authorities shall be as valid and effectual as if this Act had not been passed. Provided that if any dispute shall arise as to the mode of executing any such works as aforesaid such matter or difference shall be determined by arbitration as in this section provided :

- (9) The Central Company shall not affix exhibit or permit to be affixed or exhibited upon any hoarding erected in connection with the construction of the said subways and works within view of any public street within the city any placards or advertisements other than those relating to the railway 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 Central Company from exhibiting any placards giving information as to the traffic of the Central Company and of the companies associated with it or general information in connection therewith and with the undertakings of such companies :
- (10) The Central Company shall carefully preserve and remove all objects of geological or antiquarian interest discovered by them in the execution of the said subways and works within the city

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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 discovered in the city shall be deposited in the Guildhall Museum as the property of the corporation :

(11) The Central Company shall keep the corporation indemnified against all actions claims and demands whatsoever brought or made against the corporation by any person by or in consequence of the construction of the said subways and works :

(12) The Central Company shall construct at their own expense as part of Work No. 3 a passage of not less than 10 feet in width and eight feet in height under the roadway with two entrances and flights of stairs one in each direction (each flight not being less than six feet in width) in the pavement opposite the premises known as Nos. 160 161 and 162 Cheapside or in such other positions as shall be agreed between the Central Company and the corporation Provided that the corporation may at their own expense in connection with any alteration of the said street alter the position of the said entrances and flights of stairs to such positions as the Central Company may reasonably agree :

(13) The Central Company shall open the passage referred to in the previous subsection for the use of the public for such hours as their Post Office station shall be open for passenger traffic and during such hours such passage shall for police purposes form part of the public way within the city Provided that the Central Company may construct and maintain gates at the said entrances to such passage or in such other position as may be agreed between the Central Company and the corporation and may keep such gates closed during such hours as the said Post Office station is closed for passenger traffic or in case of emergency or if required by the Commissioner of the City Police :

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(14) If at any time after the said passage shall have been constructed the Central Company close permanently the portion of their Post Office station adjoining the said passage the corporation shall be at liberty upon such terms and conditions as to payment and otherwise as may be agreed to take over and maintain the said passage and so much of the Post Office station as is necessary to make a through passage from the north to the south side of Cheapside for the use of the public and thereupon all rights and obligations of the Central Company in respect of the said passage and any part of the Post Office station so required by the corporation shall cease and determine. Provided that before the corporation take over such passage and any part of the Post Office station acquired as aforesaid they shall carry out at their own expense to the approval of the Central Company all such works as the Central Company may reasonably require to close and stop up the entrance from the said passage and any part of the Post Office station acquired as aforesaid to the remaining part of such station premises and to provide direct access from the said passage to the pavement on the southern side of Cheapside : A.D. 1931.

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

38. The provisions of section 56 (For protection of owners and lessees of 29 and 30 High Holborn) of the London Act of 1930 are incorporated with this Part of this Act and shall extend and apply for the benefit and protection of the owners and lessees for the time being of the premises numbered 2 in the metropolitan borough of Holborn on the deposited plans for this Act (being the same premises as those referred to in the said

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

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section) and to Works Nos. 1 and 2 and Subway No. 2 by this Part of this Act authorised as if such premises were so described in the said section and as if such works and subway were mentioned or referred to in the said section instead of Subways Nos. 14 and 15 authorised by the London Act of 1930 and abandoned by this Act and as if throughout the said section the expression "this Act" referred to this Act instead of the London Act of 1930.

For protection of National Mutual Life Association of Australasia Limited.

39. Notwithstanding anything contained in this Act or shown on the deposited plans the Central Company shall not in the exercise of the powers conferred by this Act enter upon take or use any part of the property numbered on the deposited plans 20 in the city of London without the consent of the National Mutual Life Association of Australasia Limited.

PART V.

GENERAL PROVISIONS AS TO LANDS AND WORKS.

Application of this Part of Act and further interpretation.

40. 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 respective 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 Third Schedule to this Act and in Part I of the Fourth Schedule to this Act the London Company;

In relation to Part III of this Act and also to the properties described in Part II of the Fourth Schedule to this Act the District Company;

In relation to Part IV of this Act and also to the properties described in Part II of the Third Schedule to this Act and in Part III of the Fourth Schedule to this Act the Central Company.

Owners may be required to grant easements

41. 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 Third

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 undersurface 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.

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 —
 only under
 certain
 properties.

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

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

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Fourth Schedule to this Act and whereof a portion only is required for the purposes of the Company or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter referred to as "the scheduled properties" :
- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Company that he alleges that such portion cannot be severed from the remainder of the property without material

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detriment to such remainder he may be required to sell and convey to the Company such portion only without the Company being obliged or compellable to purchase the whole the Company paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

- (3) If within such twenty-one days the owner shall by notice in writing to the Company allege that such portion cannot be so severed the tribunal shall in addition to the other questions required to be determined by it determine whether the whole of the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment to such remainder and if not whether any and what other portion (which may include part of the portion in respect of which such notice to treat was served) of such scheduled properties can be so severed :
- (4) If the tribunal determine that the whole of the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment to such remainder the owner may be required to sell and convey to the Company the portion so determined to be severable without the Company being obliged or compellable to purchase the whole of such scheduled property the Company paying such sum for the portion taken by it including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :
- (5) If the tribunal determine that the whole of the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment to such remainder the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner

incident to the determination of any matters under this section shall be borne and paid by the owner : A.D. 1931.
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- (6) If the tribunal determine that the whole of the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment to such remainder (and whether or not it shall determine that any other portion can be so severed) the Company may withdraw its notice to treat and thereupon it shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment to such remainder but that any such other portion as aforesaid can be so severed such notice to treat shall be construed and read as if such other portion as aforesaid had been substituted therein for the portion originally specified therein and the Company may withdraw such notice to treat and thereupon shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice but if the Company shall not withdraw such notice it shall pay to the owner so much of all costs charges and expenses reasonably and properly incurred by him in consequence of such notice as the tribunal shall having regard to the circumstances of the case think fit and their determination thereon shall be final.

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

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— In this section the expression "the tribunal" means the single arbitrator to whom the question of compensation is referred under the Lands Clauses Acts as incorporated with and modified by this Act.

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

Period for compulsory purchase of lands.

43. 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-four.

As to entry on land after notice to treat.

44. At any time after notice to treat has been served by the Company under the Lands Clauses (Consolidation) Act 1845 the Company may after giving to the owner and occupier of the land not less than fourteen days' notice enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with sections 84 to 90 of the Lands Clauses (Consolidation) Act 1845 but subject to the payment of the like compensation for the land of which possession is taken and interest on the compensation awarded as would have been payable if those provisions had been complied with.

Use of sewers for removing water.

45. 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 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 council of any city or metropolitan borough (as the case may be) in or through which any of the said railways 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 council of any metropolitan borough (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 discharge and otherwise as may be prescribed by the London County Council.

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46. 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 first day of March one thousand nine hundred and thirty-one if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

Compensation in case of recently altered buildings acquired by Company.

47.—(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.

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

(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 expenses incident to removing from such dwelling-house as shall failing agreement between the tenant or occupier and the

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

48. 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 subways or works authorised by this Act shall be constructed except so far as the level of such road or highway is permanently and prejudicially altered. Provided that nothing in this section shall relieve the Company from any liability which they were under immediately before the passing of this Act for the maintenance of any such road or highway.

Saving for London Building Act.

49. Nothing in this Act shall derogate from any provisions of the London Building Act 1930 save that special exemptions in favour of railway companies contained in that Act shall not apply to any building or part of a building constructed under the powers of this Act or on land acquired under this Act which building or part of a building is used or intended to be used for other than railway purposes.

For protection of London County Council.

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

- (1) The Company shall not without the consent of the council enter upon take use or interfere with the surface of the lands numbered on the deposited plans 69 96 100 102 104 107 108 240 241 and 242 in the metropolitan borough of Camberwell but the Company may acquire and the council shall sell and grant to the Company an easement or right of using so much of the subsoil of such of the said lands as are the property of the council as the Company may require for the construction working and maintenance therein of the railways subways and works by this Act authorised :
- (2) (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 subway for pipes tramway or any other property of the council of any description (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 within such distance of the property of the council and if at the expiration of twenty-eight 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 to the reasonable satisfaction of the council and at the costs charges and expenses in all respects of the Company and when commenced shall so far as practicable be proceeded with without cessation;

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(b) The Company shall at all times maintain such part of the said railways subways and works 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 railways subways and 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

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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;

(c) If during and by the execution of the said railways subways and works 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 from the Company;

(d) The Company shall not in making and maintaining and working or using the railways subways and 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 the 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;

(e) 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 structure erected in accordance therewith to be adequately illuminated at night and at all other reasonable times;

(f) All reasonable fees costs charges and expenses in respect of any of the matters in the preceding 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 and works by this Act authorised 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;

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(g) 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 and works by this Act authorised 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 or of any such act or omission :

- (3) The Company shall not without the consent of the council construct under any street or roadway in the administrative county of London (in this section referred to as "the county") any part of the railways subways and 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 but such approval shall not be unreasonably withheld :
- (4) Upon the submission of any plans and sections under the provisions of the foregoing subsection (3) and before approving the same the council shall with all reasonable dispatch consult with the council of the metropolitan borough in which the railways subways and works are or will be situate and for this purpose the council

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shall afford such council reasonable facilities for inspecting the plans and sections relating to such railways subways and works :

- (5) If the Company in constructing the 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 and the Fleet sewer (Holborn branch) 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 sewers which may be necessary in consequence of any works of the Company The provisions of this subsection shall be in addition to and not in derogation of any other provisions of this Act :
- (6) The entrances or exits to or from any subway booking hall or 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 :
- (7) The Company shall not under the powers of this Act without the consent of the council which shall not be unreasonably withheld make any permanent openings in any part of the surface of any street or footway within the county of London :
- (8) The Company shall not without the consent of the council construct or erect in the county in connection with the railways subways and works by this Act authorised any building structure or erection in or on any public

roadway or footway above the surface of the ground Provided that such consent in the case of any building structure or erection incidental exclusively to the making of any permanent opening under the last preceding subsection shall not be unreasonably withheld: A.D. 1931.

- (9) The Company shall not without the consent of the council make in the county 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 :
- (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 them 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) Notwithstanding anything contained in this Act or shown on the deposited plans nothing in this Act shall affect or derogate from any rights or powers of the council or the Company under the London County Council (Improvements) Act 1930 and under any agreement which may be made thereunder between the council on the one hand and the Company on the other hand and if there is any conflict between the provisions of this Act and the provisions of the said Act of 1930 or of any such agreement as is referred to in this subsection the provisions of the said Act of 1930 and of any such agreement respectively shall prevail :
- (12) The approval by the council of any plans or the supervision by the council of any work under the provisions of this Act shall not exonerate the Company from any liability or affect any claim for damages under this Act or otherwise :
- (13) Any dispute or difference which may arise between the council and the Company with respect to the provisions of subsections (2) (3) (6) and (7) and the proviso to subsection (8) of this section shall be referred to and settled by

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arbitration by a civil engineer to be appointed as arbitrator 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.

For protection of certain metropolitan borough councils.

51. 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 metropolitan borough of Camberwell;

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 Lambeth;

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

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 and subway 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;

the expression "the works" means the railways subways or works which the Company is by this Act authorised to make in the borough;

the expression "consent" means consent in writing; and

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

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- (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 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

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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 :
- (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 :

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- (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 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

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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 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 :
- (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 : A.D. 1931.

(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.

52. The following provisions for the further protection of the council of the city of Westminster (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 Westminster City Council.

(1) The London Company shall not under the powers of this Act take use appropriate or hold any part of the surface of any roadway or footways of Brompton Road within the city :

(2) Except with the previous consent of the council the London Company shall not under the powers of this Act under any part of Brompton Road within the city except under land owned or acquired by them construct or permit to be constructed any shop stall shop-front showcase 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 London Company Provided that nothing in this subsection contained shall

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be deemed to derogate from the powers conferred upon the London County Council by the London Building Act 1930 or any amendment thereof :

- (3) In this section the expression "the city" means and includes not only the city of Westminster but also such part of Brompton Road as may be beyond the city and under the jurisdiction or control of or repaired and maintained by the council the expression "consent" means consent in writing and the expression "approved" means approved in writing and wherever in this section provision is made with respect to the 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 :
- (4) 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 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 :
- (5) The provisions of this Act or of any Act incorporated with this Act which are inconsistent with the provisions of this section shall not apply in the city.

For protection of Metropolitan Water Board.

53. 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 Central Company (as the case may be) on the other hand apply and have effect (that is to say) :—

- (1) In this section—

The expression "the Company" means in relation to the railways subway and works authorised by Part II of this Act the London

Company and in relation to the subways and works authorised by Part IV of this Act the Central Company; A.D. 1931.
—

The expression " apparatus " includes mains pipes valves hydrants and other works and apparatus;

The expression " the engineer " means the chief engineer of the board or any other person for the time being duly authorised to discharge temporarily the duties of the said chief engineer;

The expression " street " or " road " includes (unless the context otherwise requires) the footway or footways of any street or road :

- (2) The provisions contained in section 74 (Compensation for damage by working of railways and subways) of the London Act of 1930 as extended and applied by the several sections of this Act of which the respective marginal notes are " Incorporating certain provisions of existing Acts " shall extend and apply to the apparatus of the board as if the same were expressly included in such lands houses and buildings as are referred to in the said first-mentioned section :
- (3) The provisions contained in 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 (which section is in this subsection referred to as " the protective section ") as extended and applied by the section of Part II of this Act of which the marginal note is " 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

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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 the protective section :

- (4) 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 :
- (5) 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 :
- (6) 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 more than five feet or less than—

(a) In the case of a main or pipe having an internal diameter not exceeding twelve inches - - three feet ;

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(b) In the case of a main or pipe having an internal diameter exceeding twelve inches but not exceeding twenty-four inches - three feet six inches;

(c) in the case of a main or pipe having an internal diameter exceeding twenty-four inches - four feet; except in the case of subways or booking halls where the cover may be less than three feet subject to special protection against frost and injury being provided to the reasonable satisfaction of the board :

- (7) 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 :
- (8) 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 accommodation of any existing apparatus of the board in or under such street or road 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 as hereinafter provided :
- (9) Notwithstanding anything contained in the several sections of this Act of which the respective marginal notes are " Power to deviate vertically " the Company shall not execute any works within twenty-five feet from the surface of any street or road (other than such subways and works as are shown on the deposited plans and sections as being within that depth) in or

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under which any of the apparatus of the board is situate or otherwise interfere with the subsoil of such street or road within that depth except with the consent in writing of the board which consent shall not be unreasonably withheld and upon and subject to such reasonable terms and conditions as the board may attach to any consent given by them :

- (10) If any loss of water from any apparatus 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 :
- (11) If by reason or in consequence of the execution by the Company of any works under the powers of this Act the cost to the board of providing communications between any apparatus of the board and any premises supplied from such apparatus shall be increased the Company shall bear and on demand repay to the board the amount of such increased cost :
- (12) 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 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 :
- (13) 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 A.D. 1931.
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 :

(14) All works to be executed or provided under this Act in connection with any apparatus of the board shall subject to the provisions of subsection (3) of this section and section 85 (General provisions for protection of water gas hydraulic power and electric companies) of the Central Act of 1891 as modified and applied by section 24 (For protection of Metropolitan Water Board) of the Central Act of 1907 section 30 (For protection of Metropolitan Water Board) of the Central Act of 1913 and the section of Part IV of this Act of which the marginal note is "Incorporating certain provisions of existing Acts" be so executed and provided by and at the expense of the Company in accordance with plans sections and particulars previously submitted to and approved by the board or in case of difference between the board and the Company determined by arbitration as hereinafter provided and to the reasonable satisfaction and 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 :

(15) If any difference shall arise between the London Company or the Central 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 meaning or construction of the said provisions) such difference shall be settled in accordance with the provisions of the said section 67 of the London Act of 1902 as modified and applied by this section or of the said section 85 of the Central Act of 1891 as modified and applied as aforesaid (as the case may be) with respect to the settlement of differences :

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- (16) 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.

For protection of Gas Light and Coke Company.

54. For the protection of the Gas Light and Coke Company (in this section referred to as "the gas company") the following provisions shall unless otherwise agreed in writing between the gas company on the one hand and the London Company or the Central Company (as the case may be) on the other hand apply and have effect (that is to say) :—

- (1) In this section—

The expression "the Company" means in relation to the railways subway and works authorised by Part II of this Act the London Company and in relation to the subways and works authorised by Part IV of this Act the Central Company ;

The expression "apparatus" includes mains pipes valves stopcocks and other works and apparatus ;

The expression "street" or "road" includes (unless the context otherwise requires) the footway or footways of any street or road :

- (2) The provisions contained in section 74 (Compensation for damage by working of railways and subways) of the London Act of 1930 as extended and applied by the several sections of this Act of which the respective marginal notes are "Incorporating certain provisions of existing Acts" shall extend and apply to the apparatus of the gas company as if the same were expressly included in such lands houses and buildings as are referred to in the said first-mentioned section :
- (3) 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 gas company 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 subways or booking halls where the cover may be less than three feet subject to special protection against injury being provided to the reasonable satisfaction of the gas company: A.D. 1931.

- (4) 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 accommodation of any existing apparatus of the gas company in or under such street or road Provided that the Company may divert any apparatus of the gas company 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 as hereinafter provided:
- (5) If by reason or in consequence of the execution by the company of any works under the powers of this Act the cost to the gas company of providing communications between any apparatus of the gas company and any premises supplied from such apparatus shall be increased the Company shall bear and on demand repay to the gas company the amount of such increased cost:
- (6) If any difference shall arise between the London Company or the Central Company on the one hand and the gas company on the other hand under the provisions of this section (other than a difference as to the meaning or construction of the said provisions) such difference shall be referred to and determined by an arbitrator to be agreed upon between the parties in difference or failing such agreement to be appointed upon the application of either of such parties (after notice in writing to the other

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—

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:

- (7) 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 gas company would otherwise be entitled.

PART VI.

LONDON COMPANY—FINANCIAL PROVISIONS.

Power to
London
Company
to raise
additional
moneys.

55. 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 one million five hundred 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 as aforesaid (whether redeemable or irredeemable) or of preference stock (whether redeemable or irredeemable).

Incorporation of
further provisions of

56. The provisions contained in the following sections of the London Act of 1930 are (subject to any amendment or variation by this Act) incorporated with

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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 raising by the London Company of the additional moneys which it is authorised by this Part of this Act to raise and to the ordinary shares and stock the preference shares and stock and the debenture stock (as the case may be) which the London Company is by this Part of this Act authorised to create and issue 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 (that is to say):—

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 ———
 London Act
 of 1930.

- Section 93 (Application of sections 15 and 16 of London Act of 1910 to ordinary shares and stock);
- Section 94 (Power to issue four per centum preference stock);
- Section 95 (Power to issue additional preference stock carrying higher rate of dividend than four per centum);
- Section 96 (All preference stock to rank *pari passu*);
- Section 97 (Application of sections 14 and 16 of London Act of 1910 to new preference stock);
- Section 98 (As to ranking of debenture stocks);
- Section 99 (Restriction on creation and issue of debenture stock);
- Section 112 (Directors may exercise capital powers);
- Section 113 (Creation and issue of redeemable debenture and preference stocks and redemption thereof);
- Section 114 (As to deposit of debenture or preference stock);
- Section 115 (Company may apply capital moneys in purchase of redeemable stocks);
- Section 116 (Power to form fund for redemption of redeemable stocks);

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- Section 119 (Existing mortgages to have priority);
- Section 120 (Receipt in case of persons not sui juris);
- Section 121 (Powers of borrowing not to be reduced by creation of rent-charges &c.);
- Section 122 (Powers for raising moneys are additional to existing powers);
- Section 124 (Application of capital);
- Section 125 (Shares not to vest until one-fifth shall have been paid up):

Provided that for the purposes of such incorporation—

- (a) The expression “the London Acts of 1910 to 1930” shall be substituted for the expression “the London Acts of 1910 to 1926” where used in those sections;
- (b) Subsection (2) of section 98 of the London Act of 1930 shall be read as if the words “and the London Act of 1930” were inserted after the expression “the London Acts of 1910 to 1914” where that expression occurs therein;
- (c) The first and third provisos to section 113 of the London Act of 1930 shall be read and have effect as if paragraph (b) were omitted therefrom.

For appoint-
ment of a
receiver.

57. Section 100 (For appointment of a receiver) of the London Act of 1930 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.

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58. Notwithstanding anything in this Act or in any Act or Acts incorporated herewith the London 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 London 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 London 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-six or such less period as the directors of the London Company may determine but subject always to the conditions hereinafter stated (that is to say):—

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—
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 London Company until that company shall have deposited with the Minister of Transport a statutory declaration by two of the directors and the secretary of that 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 one hundred and forty-five thousand pounds;
- (d) Notice that the London Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the London Company inviting

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subscriptions for such ordinary or preference shares or stock as aforesaid;

- (e) The annual accounts of the London 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 hereafter be paid out of any stock or share or loan capital which the London 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 that 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.

59. The London 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-six or such less period as the directors of the London 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.

As to application of section 113 of Stamp Act 1891.

60. 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 London 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 London 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. A.D. 1931.
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PART VII.

MISCELLANEOUS.

61. Each of the three Companies may appropriate and 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.

62.—(1) The three Companies and the City and South London Railway Company 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) :— Agreements between three Companies and City and South London Railway Company.

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

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 contracting 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 contracting companies or of any of them or any part or parts thereof;

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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 companies who are parties to such agreement.

Each of the above-mentioned companies may apply its respective funds to the purposes of any agreement entered into under this section to which it is a party.

(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 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.

Saving for
Postmaster-
General.

63. Nothing in any agreement made under the authority of this Act shall affect the rights of the Postmaster-General under the Telegraph Act 1878 to place and maintain telegraphic lines in under upon along over or across the respective undertakings of the London Company the Central Company and the City and South London Railway Company or any part thereof and from time to time to alter such telegraphic lines and to enter upon the land and works comprised in such undertakings for the purposes in the Telegraph Act 1878 specified and the Postmaster-General shall after the making of any such agreement be at liberty to exercise all the rights aforesaid notwithstanding that the undertakings of the said companies or any part thereof are or is owned leased or worked by the District Company as freely and fully in all respects

as he was entitled to do before the making of any such agreement. A.D. 1931.

64. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the three 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 Works first had and obtained for the purpose. Crown rights.

65. The three 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 three Companies or any of them solely or jointly to construct any other railway or to execute any other work or undertaking. Deposit for future Bills not to be paid out of capital.

66. 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. Provision as to general Railway Acts.

67. 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 three 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. Costs of Act.

[Ch. cxii.] *London Electric* [21 & 22 GEO. 5.]
Metropolitan District and Central London Railway
Companies (Works) Act, 1931.

A.D. 1931.

The SCHEDULES referred to in the
foregoing Act.

FIRST SCHEDULE.

MARGINAL NOTES AND NUMBERS OF SECTIONS OF ACTS
INCORPORATED WITH PART II (LONDON COMPANY
—RAILWAYS SUBWAY 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
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
Objects of interest to be at disposal of London County Council - - - - -	21
Amending sections 50 and 51 of Act of 1893 - - -	33

[21 & 22 GEO. 5.] *London Electric* [Ch. cxii.]
Metropolitan District and Central London Railway
Companies (Works) Act, 1931.

Marginal note of section.	No. of section.	A.D. 1931.
—	—	—
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	
THE LONDON ACT OF 1930.		
Plans &c. to be approved by Minister of Transport -	73	
Compensation for damage by working of railways and subways - - - - -	74	
As to private rights of way over lands taken compulsorily - - - - -	75	
Power to Company to enter upon property for survey and valuation - - - - -	76	
Power to make trial borings - - - - -	77	
Costs of arbitration in certain cases - - - - -	79	
Power to acquire leasehold interests and use lands held on lease. - - - - -	83	
Application of section 99 of London Act of 1926 -	84	
Application of section 35 of London Hackney Carriage Act 1831 to station premises - - - - -	127	

[Ch. cxii.] *London Electric* [21 & 22 GEO. 5.]
Metropolitan District and Central London Railway
Companies (Works) Act, 1931.

A.D. 1931.

SECOND 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.	No. of section.
THE CENTRAL ACT OF 1891.	
Persons authorised to convey lands may grant ease- ments - - - - -	34
Provision 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
Inspection of works by council - - - - -	53
Exhibition of placards in the county of London - -	54
For protection of sewers of district boards and vestries	55
Deposit of objects of interest - - - - -	69
General provisions for protection of water gas hydraulic power and electric companies - - - - -	85
For protection of the Gas Light and Coke Company -	86
Company empowered to underpin or otherwise strengthen houses near railway - - - - -	97
THE CENTRAL ACT OF 1901.	
For protection of Postmaster-General (as amended by section 134 of the London Act of 1930) - - -	8
THE CENTRAL ACT OF 1902.	
Power to retain sell &c. lands - - - - -	7
Agreements as to stations &c. - - - - -	10
THE CENTRAL ACT OF 1907.	
For protection of Metropolitan Water Board - - -	24
For protection of Commissioners of Works - - -	26

[21 & 22 GEO. 5.] *London Electric Metropolitan District and Central London Railway Companies (Works) Act, 1931.* [Ch. cxii.]

Marginal note of section.	No. of section.	A.D. 1931.
—	—	—
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	
	sub-	
	sections (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	
THE LONDON ACT OF 1930.		
Plans &c. to be approved by Minister of Transport - - - - -	73	
Compensation for damage by working of railways and subways - - - - -	74	
As to private rights of way over lands taken compulsorily - - - - -	75	
Power to Company to enter upon property for survey and valuation - - - - -	76	
Power to make trial borings - - - - -	77	
Costs of arbitration in certain cases - - - - -	79	
Power to acquire leasehold interests and use lands held on lease - - - - -	83	
Application of section 99 of London Act of 1926 - - - - -	84	
Application of section 35 of London Hackney Carriage Act 1831 to station premises - - - - -	127	

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Metropolitan District and Central London Railway
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A.D. 1931.

THIRD 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 Southwark.	8 15 to 33 (inclusive) 37 to 41 (inclusive) 48 to 58 (inclusive) 60 to 71 (inclusive) 73 to 85 (inclusive) 113 to 123 (inclusive) 125 to 130 (inclusive) 130a 131 135 136 139 to 148 (inclusive) 150 to 169 (inclusive) 171a 172 to 182 (inclusive) 185 to 192 (inclusive) 194 195 195a 196 to 201 (inclusive).
Metropolitan borough of Camberwell.	1 to 8 (inclusive) 16 to 23 (inclusive) 25 to 46 (inclusive) 48.

RAILWAY No. 2.

Metropolitan borough of Camberwell.	45 46 48 61 to 81 (inclusive) 83 to 88 (inclusive) 90 to 97 (inclusive) 99 to 109 (inclusive) 111 114 to 162 (inclusive) 165 167 to 170 (inclusive) 170a 172 to 196 (inclusive) 198 to 213 (inclusive) 216 to 223 (inclusive).
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RAILWAY No. 3.

Metropolitan borough of Camberwell.	206 to 213 (inclusive) 216 to 231 (inclusive) 233 to 238 (inclusive) 240 to 243 (inclusive).
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LANDS AND EASEMENTS FOR EXTENSION OF KNIGHTSBRIDGE STATION.

Metropolitan borough of Chelsea.	1 2.
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PART II.

A.D. 1931.

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

Where situate.	No. on deposited plans.
SUBWAY NO. 2 AND WORKS NOS. 1 AND 2.	
Metropolitan borough of Holborn.	2 to 13 (inclusive).
SUBWAY NO. 3 AND WORK NO. 3.	
City of London	5 7 to 12 (inclusive) 14.

FOURTH SCHEDULE.

PART I.

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

Where situate.	No. on deposited plans.
SUBWAY NO. 1.	
Metropolitan borough of Holborn.	1 2.
ADDITIONAL LANDS.	
Rural district of Hendon	1 2 3 4 5.

PART II.

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

Where situate.	No. on deposited plans.
Metropolitan borough of Hammersmith.	4 6 7.

[Ch. cxii.] *London Electric* [21 & 22 GEO. 5.]
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A.D. 1931.

PART III.

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

Where situate.

No. on deposited plans.

SUBWAY NO. 2 AND WORKS NOS. 1 AND 2.

Metropolitan borough of 11 to 17 (inclusive) 19 20 22 23.

Holborn.

City of London - - 1 19.

SUBWAY NO. 3 AND WORK NO. 3.

City of London " - 14 to 16 (inclusive).

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