



### CHAPTER xlviii.

An Act to authorise the Metropolitan District Railway Company to widen part of their Fulham Extension Railway and for other purposes. [15th August 1913.] A.D. 1913.

**W**HEREAS it is expedient that the Metropolitan District Railway Company (hereinafter called "the Company") should be authorised to widen part of their Fulham Extension Railway :

And whereas it is expedient that the Company and the Metropolitan Railway Company or either of them should be authorised to acquire additional lands in the metropolitan borough of Stepney for the purpose of enlarging the Aldgate East Station on their City Lines Railway and to exercise the powers in this Act mentioned in relation thereto :

And whereas it is expedient that the other powers in this Act mentioned should be conferred on the Company :

And whereas plans and sections showing the lines and levels of the widenings of the Company's Fulham Extension Railway by this Act authorised and plans showing the lands which may be taken under the powers of this Act and also a book of reference thereto containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited with the clerk of the peace for the county of London and are hereinafter respectively referred to as the deposited plans sections and book of reference :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and

A.D. 1913. with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

PART I.

PRELIMINARY.

Short title. 1. This Act may be cited as the Metropolitan District Railway Act 1913.

Division of Act into Parts. 2. This Act is divided into Parts as follows:—  
Part I.—Preliminary.  
Part II.—Widening of Fulham Extension Railway.  
Part III.—Enlargement of Aldgate East Station &c.  
Part IV.—Miscellaneous.

Incorporation of Acts. 3. The Lands Clauses Acts the Railways Clauses Consolidation Act 1845 Part I. (relating to the construction of a railway) and Part II. (relating to extension of time) of the Railways Clauses Act 1863 as amended by any subsequent Act are (subject to the provisions of and so far as applicable to and as varied by this Act) incorporated with and form part of this Act.

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

“The Company” means the Metropolitan District Railway Company;

“The Metropolitan Company” means the Metropolitan Railway Company;

“The widenings” means the Widenings Nos. 1 and 2 and the works connected therewith by this Act authorised;

“Debenture stock” in the case of the Company includes Metropolitan District Railway prior lien debenture stock;

“The Act of 1897” “The Act of 1901” “The Act of 1902” “The Act of 1903” “The Act of 1906” “The Act of 1910” “The Act of 1911” “The Act of 1912” mean the Metropolitan District Railway Acts of 1897 1901 1902 1903 1906 1910 1911 and 1912 respectively;

“The Act of 1879” means the Metropolitan and District Railways (City Lines and Extensions) Act 1879; A.D. 1913.

“The City Lines Railway” means the railways authorised by the Act of 1879 or forming part of the undertaking authorised by that Act;

The expressions “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 administrative county of London mean the town clerks of the metropolitan boroughs.

## PART II.

### WIDENING OF FULHAM EXTENSION RAILWAY.

5. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the widenings of their Fulham Extension Railway and works hereinafter described with all proper stations platforms junctions signals sidings approaches wires cables plant electrical and other machinery apparatus works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as may be required for those purposes. Power to Company to make widenings.

The widenings of railway referred to in this section and authorised by this Act are—

Widening No. 1 4 furlongs ·95 chain in length on the north-west side of the existing railway of the Company commencing by a junction with that railway at a point 1 chain or thereabouts measured in an easterly direction from the face of the eastern abutment of the bridge carrying that railway over Munster Road and terminating by a junction with that railway at a point 10 chains or thereabouts measured along that railway in a south-westerly direction from the south-western end of the platform on the north-west side of the Walham Green Station on that railway:

Widening No. 2 4 furlongs 5·18 chains in length on the south-east side of the existing railway of the Company commencing by a junction with that railway at a point 1 chain or thereabouts measured in an easterly direction

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from the face of the eastern abutment of the bridge carrying that railway over Munster Road and terminating by a junction with that railway at a point 5·7 chains or thereabouts measured along that railway in a south-westerly direction from the south-western end of the platform on the south-east side of the Walham Green Station on that railway.

Power to deviate laterally.

6. In the execution of the widenings the Company may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon.

Power to deviate vertically.

7. In the execution of the widenings the Company may deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient.

Tolls &c. on widenings.

8. For the purpose of calculating the maximum tolls rates and charges in respect of traffic conveyed thereon and for all other purposes the widenings shall be deemed to be part of the Fulham Extension Railway of the Company.

Working of widenings by electrical power.

9. The traffic on the widenings may be worked by electrical power or steam or other motive power.

Period for compulsory purchase of lands for widenings.

10. The powers of the Company for the compulsory purchase of lands authorised by this Part of this Act shall cease after the expiration of three years from the passing of this Act.

### PART III.

#### ENLARGEMENT OF ALDGATE EAST STATION &C.

Power to Company and Metropolitan Company to enlarge Aldgate East Station.

11. The Company and the Metropolitan Company or either of them may for the purposes of enlarging improving and maintaining the Aldgate East Station on the City Lines Railway acquire any easements or rights to use the subsoil and under surface of all or any of the lands or appropriate and use the subsoil and under surface of the roadway or footway in the parish of Saint Mary Whitechapel in the metropolitan borough of Stepney in the county of London which are delineated on the deposited plans and described in the deposited book of reference (that is to say):—

Certain lands road and pavement being portion of the Whitechapel High Street adjoining the east end of the said Aldgate East Station having frontages to and being bounded on all sides by the Whitechapel High Street;

and subject to the provisions of this Act may break up or open the surface of such lands road and pavement and may execute make and maintain such platforms sidings approaches and other works and conveniences in or under the said lands road and pavement as are necessary for enlarging improving and maintaining the said Aldgate East Station.

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Such enlargement of the Aldgate East Station shall form part of the undertaking authorised by the Act of 1879 and shall be maintained and managed by the Metropolitan and District Joint Committee constituted by that Act.

**12.** The powers of the Company and the Metropolitan Company or either of them as the case may be for the compulsory purchase of lands easements or rights authorised by this Part of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands for Aldgate East Station.

**13.** The Company and the Metropolitan Company or either of them as the case may be may apply to the purposes of this Part of this Act to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by shares or stock or debenture stock and which may not be required for the purposes for which the same were authorised to be raised or borrowed.

Power to Company and Metropolitan Company to apply funds.

**14.** The Company and the Metropolitan Company may enter into and carry into effect agreements with respect to the enlargement and improvement of the said Aldgate East Station and the payment of the cost thereof Neither Company shall without the consent of the other or failing such consent then without the consent of the Metropolitan and District Joint Committee constituted by the Act of 1879 or of the Standing Arbitrator appointed under that Act solely exercise the powers conferred by this Part of this Act.

Agreements as to Aldgate East Station.

**15.**—(1) The Company and the Metropolitan Company (in this section referred to as “the Two Companies”) shall not nor shall either of them on Tuesday or Thursday in any week during the time between six a.m. and four p.m. or on Saturday in any week during the time between six a.m. and three p.m. either temporarily or permanently in exercise of any of the powers of this Act obstruct impede or otherwise interfere with the Whitechapel Hay and Straw Market or the holding thereof or with the access thereto but subject to this enactment it shall

For protection of Whitechapel Hay and Straw Market.



A.D. 1913. be lawful for the Two Companies or either of them to make during the construction of the works defined in subsection (3) of this section a temporary platform or bridge across the works for the purpose of supporting the carts and waggons of the said market during the holding thereof and for the purpose of preserving the access thereto and the Two Companies or one of them shall upon the request of Gingell Son and Foskett Limited make such temporary platform or bridge across the works accordingly.

(2) The Two Companies shall not nor shall either of them on any day obstruct or impede except during the time between seven p.m. and six a.m. the access to the Kent and Essex Yard and the Spread Eagle Yard now occupied by Gingell Son and Foskett Limited and Messieurs Frank Simpson Gardner and Soanes Freeman Gardner trading as Gardner and Gardner.

(3) In this section "the works" means the works to be carried out by the Two Companies or either of them on under or affecting the Whitechapel High Street for the purpose of enlarging improving or maintaining their Aldgate East Station.

Saving  
rights of  
owners of  
market and  
market  
franchises.

**16.** Except as provided by the section of this Act of which the marginal note is "For protection of Whitechapel Hay and Straw Market" nothing in this Act shall extend or be construed to extend to affect prejudice alter abridge or take away any estates rights powers privileges and authorities whatsoever belonging or appertaining to Gingell Son and Foskett Limited Frank Simpson Gardner and Soanes Freeman Gardner trading as Gardner and Gardner and Dan Hugh Willis and George Herbert Powter trading as Harvey and Willis or any of them as or claiming to be the owners of the market known as the Whitechapel Hay and Straw Market and of the rights profits and emoluments in connection therewith.

For protec-  
tion of  
Stepney  
Council.

**17.** With respect to the construction of works on under or affecting the Whitechapel High Street in the metropolitan borough of Stepney (in this section called "the borough") the following provisions shall unless otherwise agreed apply and have effect for the protection of the mayor aldermen and councillors of the said borough (who are in this section called "the Stepney Council") :—

(1) For the purposes of this section the expressions—

"The Company" means the Company and the Metropolitan Company or either of them;

“The said works” means the works to be carried out by the Company on under or affecting the Whitechapel High Street for the purpose of enlarging and improving their Aldgate East Station;

“The said portion of Whitechapel High Street” means the portion of that street between the corner of Old Castle Street and the corner of Kent and Essex Yard which portion is shown within the limits marked on the deposited plans “Limit of land and easements to be acquired”:

- (2) The engineer or other officer of the Stepney Council duly authorised by them may from time to time at all reasonable times until the said works shall be completed enter upon and inspect the same:
- (3) In carrying out the said works the Company may break up the said portion of the Whitechapel High Street and the Company may between two p.m. on Saturdays and nine a.m. on Mondays and on other days between eight p.m. and eight a.m. stop up and close for traffic the said portion of the Whitechapel High Street but except as aforesaid the Company shall not stop up or render impassable to the ordinary traffic any highway street road or footway in the borough:
- (4) Before the Company break up or open the soil or pavement of the said portion of the Whitechapel High Street or commence any work the execution of which will or may affect the traffic along any highway street road or footway in the borough they shall give to the Stepney Council notice in writing of their intention to open or break up the same not less than one calendar month before beginning such works All and every such works shall during the execution thereof be subject to the reasonable directions of the Stepney Council and of their engineer to secure (except during the periods aforesaid) the free passage of traffic in the said highway street road or footway and to prevent any needless injury or inconvenience to or in such highway street road or footway or to persons residing or carrying on business therein Provided that if the said Stepney Council by their engineer or other authorised officer fail to attend at

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the time fixed for the opening of the said portion of the Whitechapel High Street after having had notice of the intention of the Company to open the same as aforesaid or shall refuse or neglect to superintend such opening the Company may perform the works specified in such notice without the superintendence of the Stepney Council and their engineer:

- (5) Where the Company break up or disturb the surface of the said portion of the Whitechapel High Street they shall so soon as the works affecting it are completed and within a reasonable time from the day on which the works were begun restore the same to as good a condition as it was when it was broken up or disturbed under the superintendence and to the reasonable satisfaction of the engineer of the Stepney Council. The Company shall save harmless and keep indemnified the Stepney Council against all actions claims expenses and demands arising out of or in consequence of any such works. If the Company fail to comply with the requirements of this sub-section the Stepney Council may if they think fit restore the said portion of the Whitechapel High Street so broken up or disturbed and recover the reasonable expense of such restoration from the Company:
- (6) The Company shall at all times whilst the soil or pavement of the said portion of the Whitechapel High Street shall be so opened or broken up by them cause the same to be fenced and guarded and in every such case and also in every other case where the execution of the said works shall affect the traffic along the Whitechapel High Street shall cause lights sufficient for the warning of passengers and vehicular traffic to be kept there every night and also during other periods of darkness during which such soil or pavement shall continue to be open or broken up or such works executed:
- (7) The Company shall not permit or suffer any cart wagon or other vehicle employed in removing from or bringing to the said works any soil or materials (except girders) to be loaded in any part of any highway situate within the borough except in such



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places as shall be enclosed with hoardings The Company shall not permit or suffer any cart wagon or other vehicle to carry any soil excavated from the said works through the streets of the borough except in carts or wagons so constructed and managed as to prevent so far as practicable any of such soil dropping therefrom If the Company their contractors servants or agents commit any breach of this section 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 any court of summary jurisdiction :

- (8) The said works shall be constructed and maintained by the Company in such manner as at all times to support not only the ordinary traffic and any other exceptional traffic lawfully using the highways and streets within the borough but also any steam roller not exceeding twelve tons in weight which the Stepney Council may use for repairing the roads or roadways in the borough and the Company shall indemnify and make good to the Stepney Council all reasonable costs and expenses which the Stepney Council may incur or be put to by reason of any defect or insufficiency in strength in such works or any neglect properly and efficiently to maintain the same as aforesaid :
- (9) The Company shall make good from time to time any subsidence in the said portion of the Whitechapel High Street caused by the said works which may occur within one year from the date when the said portion of the Whitechapel High Street was restored by the Company and if they fail so to do the Stepney Council may repair and make good any such subsidence and the reasonable cost thereof shall be repaid by the Company to the Stepney Council on demand :
- (10) Section 40 of the Act of 1897 (General provisions for protection of water gas hydraulic power and electric companies) shall apply to the said works as fully and effectually as if the Stepney Council were named therein and defined to be one of the "protected companies" therein mentioned :

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- (11) The Company shall bear the reasonable cost of removing and replacing such public lamps and laying on the service pipes thereto as may be moved by the Company in the execution of the said works :
- (12) The Company shall not affix or exhibit or permit to be affixed or exhibited upon any part of the said works or upon any hoarding in connection therewith within view of any public highway street road or footway in the borough any placards or advertisements except such as shall have been approved in writing by the town clerk of the Stepney Council and if any such placard or advertisement be affixed or exhibited without such approval the Stepney Council and their authorised officers may remove the same but this sub-section shall not apply to placards exhibited by the Company on the outside of any railway station giving information to the public as to the traffic of the Company :
- (13) All reasonable costs and expenses to which the Stepney Council may be put by reason of the construction of the said works whether in the execution of the said works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the Stepney Council by the Company on demand :
- (14) The Company shall make full compensation to the Stepney Council for any damage to or subsidence of any highway sewer drain or work under the jurisdiction or control of the Stepney Council in the said portion of the Whitechapel High Street or elsewhere contiguous thereto which may be proved to be caused by or in consequence of the act or default of the Company their contractors servants or agents in connection with the said works whether such damage or subsidence shall happen during the construction of the said works or within a period of one year from the completion thereof :
- (15) If any difference shall arise between the Company and the Stepney Council with respect to any of the matters referred to in this section the same shall (except as specially provided in subsection (10) of this section and the enactment incorporated thereby)

be referred to an engineer to be appointed by the President of the Institution of Civil Engineers on the application of any of the parties interested and the Arbitration Act 1889 shall apply to the reference.

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**18.** Nothing in this Act shall be construed to take away or abridge any rights powers or authorities of the mayor aldermen and councillors of the metropolitan borough of Stepney conferred by the Whitechapel Improvement Act 1853 (16 & 17 Vict. c. cxli) as amended by the Borough of Stepney (Whitechapel) Scheme 1901 as the surveyor of highways of the borough aforesaid or arising under or by virtue of any statute or authority whatsoever.

Saving rights of Stepney Council.

**19.** 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 Company and the gas company apply and have effect (that is to say):—

For protection of Gas Light and Coke Company.

- (1) Subject as hereinafter in this section provided the Company shall before commencing to execute any other works in connection with the enlargement or improvement of their Aldgate East Station or to execute any other works in or under the lands referred to in the section of this Act of which the marginal note is "Power to Company and Metropolitan Company to enlarge Aldgate East Station" at their own expense alter the position of the existing thirty-six inch and twenty-six inch mains of the gas company which now cross over the City Lines Railway immediately to the eastward of the said station by laying across the said railway in such position not being less than fifty feet eastward of the present point of crossing as may be agreed between the Company and the gas company or as failing such agreement may be determined by arbitration as hereinafter provided steel tubes of the same respective sectional areas as those of the existing mains and before removing any part of the said existing mains shall at the like expense make all such junctions and connections between the

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existing mains and the said steel tubes as may be necessary for ensuring the continuous flow of gas through the mains as altered. Provided that if at any time after the Company shall have given notice to the gas company of their intention to execute any such alteration of mains as aforesaid the gas company so require the work of alteration shall be carried out by the gas company and not by the Company and the Company shall repay to the gas company the expense reasonably incurred by them in so doing:

(2) If any question shall arise between the Company and the gas company as to the position in which the said steel tubes are to be laid such question shall be determined by an arbitrator to be agreed upon or failing such agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers:

(3) In and for the purposes of this section the expression "the Company" shall mean and include the Company and the Metropolitan Company or either of them according as the powers conferred by the said section of this Act of which the marginal note is "Power to Company and Metropolitan Company to enlarge Aldgate East Station" shall be exercised by the Company and the Metropolitan Company jointly or by the Company or the Metropolitan Company alone.

Portion of  
cost of Act  
to be paid  
by Metro-  
politan  
Company

20. The Metropolitan Company shall pay to the Company one moiety of such proper proportion of the costs charges and expenses of and incident to the preparing for obtaining and passing of this Act as is attributable to the matters contained in this Part of this Act.

#### PART IV.

#### MISCELLANEOUS.

Owners  
may be  
required to  
sell parts  
only of  
certain

21. And whereas in the construction of the widenings 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:—

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lands and  
buildings.

The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes of the Company or each or any of them are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties":

The provisions of subsections (2) to (7) of section 41 of the Act of 1903 are incorporated with and form part of this section:

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

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

**22.** The period limited by the Act of 1910 for the compulsory purchase of the following lands described in section 45 of that Act (namely):—

Extension  
of time for  
compulsory  
purchase  
of lands  
authorised  
by Act of  
1910.

(1) The houses lands and premises in the parish of St. George Hanover Square in the city and metropolitan borough of Westminster known as Nos. 193 and 195 Victoria Street;

(2) The footbridge over the railway and Mansion House Station of the Company in the parish of the city of London in the city of London;

is hereby extended for a period of two years from the third day of August one thousand nine hundred and thirteen.



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Extension  
of time for  
compulsory  
purchase  
of lands  
authorised  
by Act of  
1911.

**23.** The period limited by the Act of 1911 for the compulsory purchase of the houses lands and premises in the parish of St. George Hanover Square in the city and metropolitan borough of Westminster known as Nos. 197 199 201 and 203 Victoria Street described in and authorised by section 40 of that Act is hereby extended for a period of two years from the second day of June one thousand nine hundred and fourteen.

Amendment  
of section 15  
of Act of  
1911.

**24.** Subsection (1) of section 15 of the Act of 1911 is hereby repealed and the said section 15 shall be read and have effect as if the following provisions were inserted therein in lieu of the said subsection (1):—

(1) Each of the Two Companies shall at all times use electrical energy as the motive power for the working of its railways and works and shall take from the generating station undertaking all electrical energy used by such company on such railways and works except (a) emergency supplies in case of failure or (b) that used for lighting or other purposes which the Two Companies or either of them may under regulations of the Board of Trade be obliged to take from a separate source of supply Provided that nothing in this section shall prevent—

(a) Trains of other companies having running powers over the railways of the Two Companies or either of them being hauled thereon by steam or other motive power; or

(b) Steam or other motive power being used for ballast trains or breakdown trains.

Amendment  
of section 23  
of Act of  
1910.

**25.** Subsection (3) of section 23 (Company to have exclusive use of certain railways) of the Act of 1910 shall be read and have effect as if the words “unless and until otherwise agreed” were inserted after the word “shall” where the same first occurs in such subsection.

Power to  
Company to  
apply funds  
to purposes  
of Act.

**26.** The Company may apply to the purposes of this Act or to the general purposes of their undertaking to which capital is properly applicable any moneys which they now have in their hands or which they have power to raise by shares or stock or debenture stock and which may not be required for the purposes for which the same were authorised to be raised or borrowed.

**27.** Notwithstanding anything in the Companies Clauses Consolidation Act 1845 no person shall be disqualified from being a director of the Company by reason of his holding any office or place of trust or profit under the Company or by reason of his being interested in any contract with the Company nor shall any director be required to cease from voting or acting as a director by reason of his accepting any such office or place of trust or profit or becoming interested in any such contract Provided that in the case of his being or becoming interested in any contract with the Company whether such interest shall arise before or after his appointment as a director the nature of his interest in the contract shall be disclosed by him at the meeting of the directors at which the contract is determined on if his interest then exists or in any other case at the first meeting of the directors after the acquisition of his interest or after his appointment and that no director shall as a director vote in respect of any such contract and if he does so vote his vote shall not be counted but this prohibition shall not apply to any contract by or on behalf of the Company to give to the directors or any of them any security by way of indemnity.

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As to qualification of directors.

**28.** The continuing directors may act notwithstanding any vacancy in their body but so that if at any time the number of directors of the Company holding office shall be less than the minimum number prescribed by the Metropolitan District Railways Act Amendment Act 1865 the directors shall not except for the purpose of filling vacancies and allotting shares or stock to any proposed director or directors act so long as the number is below such minimum.

Continuing directors.

**29.—(1)** The directors of the Company may appoint one or more of their body to be managing director or managing directors of the Company either for a fixed term or without any limitation as to time and may remove or dismiss him or them from office and appoint another or others in his or their place or places.

As to appointment of managing director.

(2) A managing director shall not while holding that office be subject to retirement by rotation and shall not be taken into account in determining the rotation of retirement of directors but if he ceases to hold the office of director from any other cause he shall ipso facto immediately cease to be a managing director.

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(3) The remuneration of a managing director shall from time to time be fixed by the directors and may be by way of salary or commission or participation in profits or by any or all of those modes.

(4) The directors may entrust to and confer upon any managing director such of the powers exercisable by the directors and subject to such conditions as they may think fit and may from time to time revoke withdraw alter or vary all or some of such powers.

Incorporation of certain sections of Acts relating to Company.

**30.** The sections of the Acts of 1879 1897 1901 1902 1903 1906 and 1912 which are enumerated and referred to in the Second Schedule to this Act (except so far as the same or any part or parts thereof are expressly repealed amended or varied by this Act) are incorporated with and form part of this Act in the manner and to the extent in those sections and this section mentioned as fully and effectually to all intents and purposes as if those sections had been re-enacted mutatis mutandis in this Act Provided that for the purposes of such incorporation the expressions "the Two Companies" "the Company" "the South Western Company" "the railway" or "the railways" where used in those sections shall where the context so requires mean and include the Company the Metropolitan Company the widenings and the lands and easements authorised to be acquired under the powers of this Act except that section 16 of the Act of 1879 referred to in the said Second Schedule shall extend and apply only to the lands and easements in the parish of St. Mary Whitechapel in the metropolitan borough of Stepney:

Provided that any provisions of the said incorporated sections referring to a vestry or district board shall be read and have effect as applying to the council of a metropolitan borough.

For protection of London County Council.

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

- (1) The Company or the Metropolitan Company or either of them as the case may be shall not construct any works in connection with the enlargement improvement or maintenance of Aldgate East Station within fifty feet of the tramways in Whitechapel High Street except in accordance with plans and sections submitted

to and approved by the council which approval shall not be unreasonably withheld and if any difference shall arise between the Company and the Metropolitan Company or either of them and the council under this subsection such difference shall be settled by an engineer to be mutually agreed upon or in default of agreement to be appointed by the President of the Institution of Civil Engineers upon the application of either party and the Arbitration Act 1889 shall apply to the reference :

- (2) Notwithstanding anything contained in Part III. of this Act the Company and the Metropolitan Company or either of them as the case may be shall not in making maintaining or using the enlargement of Aldgate East Station and the works connected therewith 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 and the Metropolitan Company or either of them shall pay to the Council such damages as the council sustain by reason thereof :
- (3) The new bridges to be constructed over Parsons Green Lane in the metropolitan borough of Fulham shall be girder bridges which shall have a clear headway throughout above the existing surface of the street of not less than that of the bridge carrying the existing railway over Parsons Green Lane and a clear span throughout measured on the square of not less than forty feet and such bridges shall be of a reasonably ornamental character and design and shall so far as is reasonably practicable be made and maintained so as to prevent the dripping of water therefrom on any part of any street area or forecourt and so as to deaden the sound of engines carriages and traffic passing over them and the parapets of such bridges shall be carried up to a height of not less than six feet above the rail level In constructing the bridges aforesaid the Company shall face the abutments of such bridges with white glazed bricks or tiles :

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- (4) The Company shall not execute or commence to execute the construction of the said bridges until they have given to the council twenty-eight days' previous notice in writing of their intention to commence the same by leaving such notice at the offices of the council with plans elevations sections and all other necessary particulars of the works and until the council have signified their approval of the same unless the council fail to signify such approval or their disapproval or other directions within twenty-eight days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the council in the execution and subsequent maintenance of every such bridge and shall save harmless the council against all and every expense to be occasioned thereby and all such works shall be done to the reasonable satisfaction of the council at the costs charges and expenses in all respects of the Company and all reasonable costs charges and expenses which the council may be put to by reason of the works of the Company whether in the execution of the works the preparation or examination of plans and designs superintendence or otherwise shall be paid to the council by the Company on demand :
- (5) Except as in this Act expressly provided the Company shall not under the powers of this Act permanently encroach upon any part of the surface of any street or footway in the administrative county of London or without the consent of the council erect any building other than the abutments of bridges authorised to be constructed under the powers of this Act beyond the general line of building in any street in the said county :
- (6) The diversion of the footpath adjoining Parsons Green Station shall be carried out in accordance with the plan signed by Arthur Reginald Cooper on behalf of the Company and by William Edward Riley on behalf of the council and when such diversion has been carried out the Company may appropriate and use



for the purposes of their undertaking so much of the site of the existing footpath as is coloured blue on the said plan. A.D. 1913.

**32.** The provisions of section 40 (General provisions for protection of water gas hydraulic power and electric companies) of the Act of 1897 herewith incorporated shall apply for the protection of the Charing Cross West End and City Electricity Supply Company Limited as if that company had been specifically named therein. For protection of Charing Cross West End and City Electricity Supply Company.

**33.** The provisions of sections 18 to 23 of the Railways Clauses Consolidation Act 1845 shall for the purposes of Parts II. and III. of this Act extend and apply to the water and gas mains and 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 and gas (as the case may be) are appropriated. For protection of gas and water mains of local authorities.

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

(1) The section of this Act whereof the marginal note is "For protection of gas and water mains of local authorities" shall extend and apply to the works contemplated by this Act except so far as the provisions thereof may be varied by this section and as so varied shall be deemed to extend and apply to all the water mains pipes valves hydrants plugs or other works or apparatus (hereinafter in this section referred to as "apparatus") of the board affected by the said works Provided that any penalties recovered by the board under section 23 of the Railways Clauses Consolidation Act 1845 shall be appropriated to the water fund of the board:

(2) The provisions contained in section 40 (General provisions for protection of water gas hydraulic power and electric companies) of the Act of 1897 (in this section referred to as "the protective section") as

A.D. 1913.

extended and applied by the section of this Act whereof the marginal note is "Incorporation of certain sections of Acts relating to Company" to the railways and works by this Act authorised shall be read and have effect as if the board were a protected company within the meaning of that section provided that the following modifications of the said section in its application to the board and their apparatus shall have effect (that is to say):—

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

(b) The President of the Institution of Civil Engineers shall be substituted for the Board of Trade in subsection (7) of the protective section:

- (3) The Company shall not in executing any works by this Act authorised remove raise sink or otherwise alter the apparatus of the board or do anything which may impede the passage of water into or through the same without the consent in writing of the engineer of the board or in any manner other than the said engineer shall approve (such consent or approval as the case may be not to be unreasonably withheld) and until such good and sufficient apparatus as the said engineer may reasonably consider necessary for continuing the supply of water has been first provided laid down and made ready for use:
- (4) 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 or damage which they must sustain by reason of any interference with their apparatus or property:
- (5) In executing the works by this Act authorised in Whitechapel High Street the Company shall not raise sink

or otherwise alter the position of any apparatus of the board or alter the level of the said street so as to leave over any apparatus of the board a covering of either less than three feet or of more than five feet: A.D. 1913.

- (6) All works to be executed or provided under this section or the protective section in connection with any apparatus of the board shall be so executed and provided by and at the expense of the Company but to the reasonable satisfaction and under the superintendence of the engineer of the board and the reasonable costs charges and expenses of such superintendence shall be paid by the Company:
- (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 provision of this Act to the benefit of which the board would otherwise be entitled:
- (8) If any difference shall arise under this section between the Company and the board or their respective engineers such difference shall be settled in accordance with the provisions of subsection (7) of the protective section as modified by this section.

**35.** Nothing in this Act contained shall exempt the Company or the Metropolitan Company or their respective railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised to be taken by the Company or the Metropolitan Company. Provision as to general Railway Acts.

**36.** All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall in the first instance be paid by the Company. Costs of Act.

A.D. 1913. The SCHEDULES referred to in the foregoing Act.

**THE FIRST SCHEDULE.**

DESCRIBING LANDS HOUSES AND MANUFACTORIES OF WHICH PORTIONS ONLY MAY BE TAKEN AND WHICH ARE REFERRED TO IN THE SECTION OF THIS ACT OF WHICH THE MARGINAL NOTE IS "OWNERS MAY BE REQUIRED TO SELL PARTS ONLY OF CERTAIN LANDS AND BUILDINGS."

Parish or other Area.	Numbers on deposited Plans.
WIDENINGS NOS. 1 AND 2.	
Metropolitan borough and parish of } Fulham - - - - - }	4 7 9.

**THE SECOND SCHEDULE.**

SECTIONS AND PROVISIONS OF THE ACTS OF 1879 1897 1901 1902 1903 1906 AND 1912 WHICH ARE INCORPORATED WITH THIS ACT AND WHICH ARE REFERRED TO IN THE SECTION OF THIS ACT OF WHICH THE MARGINAL NOTE IS "INCORPORATION OF CERTAIN SECTIONS OF ACTS RELATING TO COMPANY."

Marginal Note of Section.	Number of Section.
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ACT OF 1897.	
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Walls of buildings to be made good - - - - -	36
As to exhibition of placards within county of London -	38

[3 & 4 GEO. 5.] *Metropolitan District Railway* [Ch. xlviii.]  
*Act, 1913.*

Marginal Note of Section.	Number of Section.	A.D. 1913.
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ACT OF 1902.		
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ACT OF 1903.		
Company not liable to repair surface of road level of which is not permanently altered.	8	
Persons under disability may grant easements &c. - -	40	
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Compensation in case of recently altered buildings acquired by South Western Company.	28	

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