



## CHAPTER ccxxix.

An Act to confer further powers on the Metropolitan District Railway Company. A.D. 1884.  
[7th August 1884.]

**W**HEREAS it is expedient that the Metropolitan District Railway Company (in this Act called "the Company") should be authorised to construct and maintain a subway between the South Kensington Station of the Metropolitan and Metropolitan District Railway Companies at South Kensington and the Horticultural Gardens with an approach therefrom to the South Kensington Museum :

And whereas it is expedient that the Company should be authorised to purchase and acquire the lands herein-after described in the parish of St. Mary Whitechapel in the county of Middlesex for the purpose of making openings for the ventilation of the proposed station of the Company and the Metropolitan Railway Company between Goulston Street and Commercial Road and for purposes in connexion with that station :

And whereas the East London Railway Acts 1882 and 1883 authorised the East London Railway Company (in this Act called "the East London Company") to construct the Whitechapel Junction Railway commencing by a junction with the East London Railway main line near the London Hospital and terminating by a junction with the city lines and extensions authorised by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 (in this Act called "the Act of 1879") and to make a station and works at and near Meggs' Almshouses (and which railway station and works are herein-after called "the Whitechapel Junction Railway") And by the said Act of 1882 (section 23) the East London Company and the Metropolitan Railway Company and the Company (the two last-named companies being in this Act called "the two companies") or either of them were empowered to enter into agreements as to the construction of junction works and maintenance working and use of the said Whitechapel Junction

A.D. 1884.        Railway and the transfer to and exercise by the two companies or either of them of the powers conferred upon the East London Company by the said Act of 1882 with reference thereto :

And whereas as between the Metropolitan Railway Company the Metropolitan District Railway Company and the East London Railway Company all questions of works and arrangements relating to the Joint Line No. 4 and the Whitechapel Junction Line 1882 so far as they are in conflict having been referred to Sir John Hawkshaw with power to settle in the interest of all the companies he by his award dated the 10th day of April 1883 awarded as follows (that is to say) :—

“ I award—

- “ 1. The East London Railway Whitechapel Junction Session 1882 (herein-after called the Whitechapel Junction) and the station upon it shall be completed by the East London Railway Company on or before the first January 1884 in accordance with the plans signed by me and with detailed plans to be submitted and approved by me with booking offices and conveniences and some space for ventilation and with the bell mouth shown on the plan or as may be altered by me for the purpose of giving railway communication with the land on the north side of the Whitechapel Road :
- “ 2. That when made and connected by their railway along the Whitechapel Road with the Inner Circle Railway at Aldgate it shall be managed and used by the joint committee of the city lines (herein called the joint committee) in all respects and with the same rights to charge for traffic over it as if the joint committee had themselves made it and it formed a continuous part of their undertaking :
- “ 3. The joint committee shall pay to the East London Railway Company in half-yearly payments in consideration of the latter company incurring the cost of making the Whitechapel Junction an annual sum equal to five per cent. on one hundred and twenty-five thousand pounds to accrue from the first January 1884 :
- “ 4. If before the railway communication is completed to Aldgate the East London Railway Company prefer to open and temporarily use the said branch for traffic they may do so but any earnings thereby from and after the first January one thousand eight hundred and eighty-four shall go in diminution of the payment referred to in clause 3 :
- “ 5. Should the East London Railway Company elect temporarily to use the Whitechapel Branch they are not in virtue of

having made the Whitechapel Branch to exercise such right of user after railway communication is made with the Inner Circle Railway at Aldgate The Whitechapel Branch when railway communication with the Inner Circle Railway at Aldgate is made is to be in all respects the same as regards all rights of charge user and management as it would have been had the joint committee made the Whitechapel Branch themselves as a portion of their original undertaking :

“ 6. The joint committee are not to make the railway of the Act of 1879 on the north side of Whitechapel Road nor the station they contemplated making adjoining the Whitechapel Station of the East London Railway and are to concur in an application to Parliament to relieve them of that obligation :

“ 7. But the Metropolitan District Railway Company may make at their own expense a terminal station on the north side of the Whitechapel Road communicating through the bell mouth if they give notice to the joint committee on or before the first May next that it is their intention to do so and the joint committee shall at the expense of the Metropolitan District Railway Company exercise their powers to secure the land and the Metropolitan Railway Company may join in the construction of such terminal station if they think fit and give notice it is their intention to do so on or before the first May next in which case the land would have to be obtained and the works carried out by the joint committee at joint expense the terminal station in either event to be opened if possible simultaneously with the line along the Whitechapel Road from the Inner Circle Line at Aldgate :

“ Any disputes that may arise with respect to the meaning or interpretation of this award or any modification of plans or other details that may from time to time be required are to be referred to me or failing me to the standing arbitrator of the joint committee :

“ The joint committee the Metropolitan Railway Company the Metropolitan District Railway Company and the East London Railway Company to concur in an application to Parliament to carry out and confirm this award. A more formal award to be drawn up by Mr. Herbert Saunders but until that be done this award to be binding on the parties.”

And whereas the Whitechapel Junction Railway Station and other works and conveniences connected therewith mentioned in Article 1 above recited of the same award have been completed in accordance with the said award and the railway has been worked for some time by the East London Company :

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And whereas the East London Company did on the nineteenth day of July one thousand eight hundred and eighty-three seal an agreement with the Metropolitan Railway Company (herein-after called "the Metropolitan Company") by which they agreed to permit that company to have and enjoy for their own exclusive benefit the said Whitechapel Junction Railway and works subject to an option to the Company to join in the said agreement which option they have not exercised and it is proper and expedient that the said agreement should be cancelled :

And whereas the Whitechapel Junction Railway with the station works and conveniences aforesaid was constructed by means of a separate capital to the amount of one hundred and twenty-five thousand pounds bearing dividend at the rate of five pounds per centum per annum raised by the East London Company for that purpose under the authority of the Act of 1882 :

And whereas by the Metropolitan District Railway Act 1883 the Company were authorised to take and use for the purposes of a terminal station (herein-after called "the Whitechapel Terminal Station") on the north side of the Whitechapel Road communicating with the Railway No. 4 authorised by the Act of 1879 certain lands situate in the parish of Saint Mary Whitechapel and it is expedient that they should be authorised to purchase and acquire the lands in the same parish herein-after described for the purposes of the said terminal station and of the approaches thereto :

And whereas it is expedient that provision should be made for removing any doubts which have arisen or may arise as to the right of the Company to become joint owners with equal powers of working along with the Metropolitan Company of the portion herein-after specified of the Railway No. 1 authorised by the Act of 1879 and that further provision be made in regard to the exercise of such right by the Company :

And whereas it is expedient—

To make provision with respect to the compensation for personal injury payable in respect of passengers travelling with workmen's tickets on the railway of the Company or of any company having booking arrangements with them :

To alter amend and enlarge the provisions of the London and South-western and Metropolitan District Railway Companies (Kingston and London Railway) Act 1882 respecting the creation of shares and stock by the Company and to confer further powers upon the Company in regard thereto :

To provide for the establishment of an accident fund for the benefit of the salaried officers or servants of the Company and

also of a superannuation and other funds for their benefit in manner herein-after authorised: A.D. 1884.

And to make such other provisions and to grant such other powers as are herein-after contained:

And whereas plans and sections of the subway herein-after authorised showing the lines and levels thereof and plans showing the lands houses and other property proposed to be taken for the purpose aforesaid and also books of reference thereto 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 and under the powers of this Act were duly deposited with the clerk of the peace for the county of Middlesex and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the objects of this Act cannot be obtained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 (that is to say):

1. This Act may be cited as the Metropolitan District Railway Act 1884. Short title.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 are excepting where expressly varied by this Act incorporated with and form part of this Act. Incorporation of general Acts.

3. 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. The expression "the Company" means the Metropolitan District Company the expression "the Metropolitan Company" means the Metropolitan Railway Company the expression "the joint committee" means the committee constituted by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 the expression "the Act of 1879" means the last-mentioned Act and for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or in any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute. Interpretation.

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Interpreta-  
tion of term  
"parish  
clerks," &c.

4. The expressions "parish clerks" and "clerks of the several parishes" in sections seven eight and nine of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards those parishes or extra-parochial places in which by the standing orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish or with the clerk of the district board for the district in which the parish or extra-parochial place is included mean in the first case the vestry clerks of those parishes and in the second case the clerks of those district boards respectively.

Power to  
construct  
subway at  
South  
Kensington.

5. Subject to the provisions of this Act the Company may construct and maintain in the line and according to the levels shown upon the deposited plans and sections a subway for foot passengers only wholly in the parish of St. Mary Abbots Kensington commencing at or near the northern side of the booking office of the South Kensington Railway Station of the Metropolitan and Metropolitan District Railway Companies and terminating in the Horticultural Gardens at or near the south-eastern entrance thereof with approaches therefrom to the South Kensington Museum together with all necessary and convenient or incidental works approaches or communications connected therewith and for those purposes may enter upon take and use the property delineated on the deposited plans and described in the deposited books of reference.

Company  
not to  
interfere  
with land in  
charge of  
Commis-  
sioners of  
Works with-  
out consent.

Provided that nothing in this Act shall authorise the Company to enter upon take or use any lands vested in or under the management of the Commissioners of Her Majesty's Works and Public Buildings without the consent in writing of the said Commissioners first had and obtained which consent the said Commissioners are hereby authorised to give on such terms and subject to such conditions as they may think fit to prescribe.

Provided also that at any time after the said subway is constructed and opened for the use of the public the Metropolitan Company may on giving one month's notice in writing under their common seal become joint owners of such subway with equal powers with the Company in respect thereof in all respects on the terms of paying one half the outlay upon and in connexion with the said subway including all liabilities incurred in regard thereto with all costs and charges and interest at the rate of four pounds ten shillings per centum per annum upon outlay prior to and during construction up to the date of payment by the Metropolitan Company.

Provided also that in the event of any difference between the Company and the Metropolitan Company with respect to any works to be executed within or upon the South Kensington Station the same

shall be determined by the standing arbitrator acting in pursuance of the Metropolitan District Railway Act 1873.

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6. Subject to the provisions of this Act the Company may enter upon take use and appropriate compulsorily or by agreement for the purpose of making such openings as may be necessary for ventilating the intended station of the Company and the Metropolitan Company between Goulston Street and Commercial Road and for other purposes in connexion with that station all or any of the lands houses and buildings situate in the parish of St. Mary Whitechapel delineated on the deposited plans thereof and described in the deposited books of reference relating thereto.

Power to acquire lands for purposes of ventilating Goulston Street Station and other purposes.

Provided always that no opening for ventilating the said intended station shall under the powers of this Act be made in the surface of any street used for public traffic.

7. Subject to the provisions of this Act the Company may enter upon take use and appropriate compulsorily or by agreement for the purposes of the said terminal station and the approaches thereto all or any of the lands houses and buildings situate in the parish of St. Mary Whitechapel delineated upon the deposited plans thereof and described in the deposited books of reference thereto.

Power to acquire lands for terminal station and approaches at Whitechapel.

8. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

9. Subject to the provisions of this Act the powers now vested in the joint committee under the Act of 1879 and the Metropolitan and District Railways (City Lines and Extensions) Act 1882 respectively with regard to the construction of so much of the Railway No. 4 authorised by the first of the two above-named Acts as lies between the eastern limit of the bell mouth shown upon the plan signed by Sir John Hawkshaw in reference to his said award and the termination of the said railway at the main line of the East London Railway are as at and from the date of the passing of this Act hereby transferred to and vested in the Company who shall be entitled to carry the same into effect in like manner as if the same had been granted to them by the said Acts.

Vesting in Company powers of joint committee for constructing portion of Railway No. 4 authorised by Act of 1879.

Provided always that the Metropolitan Company shall become joint owners with the Company of so much of the said Railway No. 4 and of the lands acquired for the purposes thereof as is situate between the said eastern limit of the said bell mouth and a line A B drawn north and south across the said Railway No. 4 at a point forty-four yards eastward of such eastern limit shown upon a plan signed by Sir Joseph Bailey Chairman of the Committee of the

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Act, 1884.

A.D. 1884. House of Commons to whom the Bill for this Act was referred and shall forthwith pay one half of the outlay upon and in connexion with such portion of the said railway and upon and in connexion with the properties taken and compensations paid for and in connexion therewith including all liabilities incurred together with all costs and charges and interest at the rate of four pounds ten shillings per centum per annum upon outlay prior to and during construction and up to the date of payment and the same shall thereafter be maintained and managed by the joint committee in all respects as if they had formed a part of the undertaking authorised by the Act of 1879. Provided always that if any difference as to the amount of the moneys so to be paid shall arise between the Company and the Metropolitan Company the same shall be determined by an arbitrator to be appointed by the Board of Trade upon the application of either of the companies and such arbitrator shall have power to determine by his award by which of the companies and in what proportions the cost of the arbitration shall be paid and his decision in all respects shall be final and binding.

Provided also that the power conferred by the Act of 1879 to effect a junction of the said Railway No. 4 with the main line of the East London Railway shall not be exercised without the sanction of the joint committee of the lessee companies appointed under the East London Railway Act 1882 but the Company may if they see fit construct a passage for intercommunication between the Company's Whitechapel Terminal Station and the East London Company's Whitechapel Station for the use of passengers and their luggage.

Nothing in this section contained shall prejudice or affect the works of the East London Company constructed under the East London Railway Acts 1882 and 1883.

Power to deviate from levels of sections.

**10.** The Company may subject to the provisions of this Act in constructing the subway and the other works by this Act authorised deviate from the lines and levels as marked on the deposited sections to such an extent as may be found necessary or convenient for avoiding accommodating preserving or improving the drainage or sewers or other works in or under the streets through which the said subway or other works will be made and the Company may alter the inclination of the subway or other works accordingly but no vertical deviation exceeding five feet shall be made without the consent of the Board of Trade.

Power to stop up and dis-

**11.** The Company may stop up and discontinue for public traffic the passages or places known as Devonshire Place and Harrison's



Buildings all in the parish of St. Mary Whitechapel and the site and soil of such passages or places and the fee simple and inheritance thereof shall from the time the same are stopped up and discontinued and so far as the same are bounded on both sides by lands of the Company be absolutely vested in the Company and they may appropriate the same to the purposes of their undertaking.

A.D. 1884.

continue  
certain  
streets.

12. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may if they think fit subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Company any easement right or privilege not being an easement of water required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Power to  
take ease-  
ments by  
agreement.

13. If the subway by this Act authorised is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for making and completing the said subway or otherwise in relation thereto shall cease to be exercised except as to so much of the said subway as is then completed.

Period for  
completion  
of works.

14. Section 75 of the Metropolitan District Railway Act 1864 (for protection of sewers of metropolitan and other boards) shall apply and have effect with reference to the subway by this Act authorised and the works connected therewith.

For pro-  
tection of  
sewers.

15. The Company shall not in any case in the exercise of any powers conferred by this Act lessen the width of the carriageway or footway of any street or alter the level of the surface of any street without the consent in writing of the Metropolitan Board of Works.

Present  
width of  
streets not to  
be affected.

16. The agreement between the East London Company and the Metropolitan Company dated the nineteenth day of July one thousand eight hundred and eighty-three is hereby cancelled and declared to be null and void and of no effect.

Cancelling  
agreement  
of 19th July  
1883.

17. The two companies shall jointly and severally pay to the East London Company an annual sum of six thousand two hundred and fifty pounds being equal to five per cent. per annum on one hundred and twenty-five thousand pounds in two half-yearly sums of three thousand one hundred and twenty-five pounds payable on the first day of July and first day of January in each year

As to pay-  
ment by the  
two com-  
panies to  
the East  
London  
Company.

A.D. 1884. \_\_\_\_\_  
respectively and the first of such payments shall be due and shall be made on the first day of July one thousand eight hundred and eighty-four but the East London Company shall give credit to the joint committee for their net earnings from the Whitechapel Junction undertaking since the first day of January one thousand eight hundred and eighty-four.

White-  
chapel  
Junction  
Railway as  
sanctioned  
for opening  
by the  
Board of  
Trade to  
be main-  
tained by  
joint com-  
mittee.

**18.** The Whitechapel Junction Railway as sanctioned for opening by the Board of Trade shall be maintained and managed by the joint committee in all respects as if the same had been constructed by the joint committee as a portion of their original undertaking and subject in all respects to the rights powers authorities and privileges of the two companies in respect of the user thereof and to all payments and other expenses of management and to the tolls rates and charges to be demanded and taken in respect of such user and otherwise as the same are defined and provided by the Act of 1879.

Recovery  
of money  
from the  
two com-  
panies.

**19.** Every sum of money from time to time payable by the two companies to the East London Company under the provisions of this Act shall be deemed to be a debt payable by the two companies jointly and each of them severally and may be recovered accordingly from them or either of them and if recovered from one only in default of the other the amount payable by the defaulting company shall become a debt from such company to the company making due payment.

For re-  
moving  
doubts as to  
interpreta-  
tion of  
sections  
5 & 6 of  
Metropoli-  
tan Railway  
Act 1881.

**20.** Whereas by section 5 of the Metropolitan Railway Act 1881 the Metropolitan Company were authorised subject to the provisions of the Metropolitan Railway Act 1877 and of the Act of 1879 so far as the same were respectively applicable to make so much of Railway No. 1 by the last-mentioned Act authorised as lies between Trinity Square Tower Hill and High Street Aldgate Station And whereas the said portion of Railway No. 1 was defined by section 10 of the Metropolitan Railway Act 1882 to be so much of Railway No. 1 as lies between the commencement thereof at High Street Aldgate and the western side of Trinity Square Tower Hill in the line of the railway at the point marked "termination of new street" on the plan referred to as "the deposited plan" in the Act of 1879 and it was declared that the expression "Trinity Square Tower Hill" in section 5 of the Metropolitan Railway Act 1881 should for the purposes of that Act and of the Metropolitan Railway Act 1882 be read and construed accordingly And whereas it was enacted by the said section 5 of the Metropolitan Railway Act 1881 that when the city lines and extensions authorised by the Act of 1879 were completed such portion of

railway should subject to the provisions of the Metropolitan Railway Act 1881 become part thereof Provided that the station accommodation upon that portion of Railway No. 1 should be such as should be agreed upon between the Company and the Metropolitan Company or failing agreement as should be determined by the standing arbitrator on the demand of either company. And whereas by section 6 of the same last-mentioned Act it was enacted that when the portion aforesaid of Railway No. 1 was constructed and ready to be opened for traffic the Company might on giving to the Metropolitan Company one month's notice under their common seal become joint owners of such railway with equal powers of working over the same and if no other arrangement should have been entered into between the said two companies on the terms of paying one half the outlay upon and in connexion with such portion of railway and of the properties taken and compensations paid for and in connexion therewith including all liabilities incurred together with all costs and charges and interest at the rate of four pounds ten shillings per centum per annum upon outlay prior to and during construction And whereas no such notice as by the said 6th section provided to be given having as yet been given by the Company of their intention and claim to become joint owners of the portion aforesaid of Railway No. 1 with equal powers of working over the same it is contended by the Metropolitan Company that no such notice can now be given and that the right reserved and secured to the Company to become such joint owners with such powers as aforesaid has been forfeited and lost by reason of their not having given such notice within one month after being called upon to do so by the Metropolitan Company under a requisition from that company :

And whereas it is expedient that the respective rights of the said two companies in regard to the matter aforesaid should be determined Therefore it is hereby enacted and declared that upon the opening for traffic of the Inner Circle Railway No. 1 the Company shall be required to and shall become joint owners along with the Metropolitan Company of such portion of the said Railway No. 1 as aforesaid with equal powers of working over the same in like manner as if such portion of railway had throughout continued to be an integral part of the undertaking authorised by the Act of 1879 subject always to the obligation of the Company to pay the moneys stipulated by section 6 of the Metropolitan Railway Act 1881 to be paid by them as the condition of their becoming such joint owners as aforesaid such moneys to include interest upon the outlays not only prior to and during construction as therein provided but also down to the date of payment at which date subject to the provision

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A.D. 1884. herein-after contained the Company shall become entitled to exercise their rights as such joint owners as aforesaid and the Metropolitan Company on the other hand giving credit in the account of such outlays for their net earnings upon such portion of Railway No. 1 as aforesaid since the opening of the same for traffic and for any rents and profits which they may have received in respect of any properties acquired for and in connexion with such portion of Railway No. 1 as aforesaid up to the date of payment as aforesaid and the Company shall pay such moneys to the Metropolitan Company when and so soon as that company shall have delivered and verified an account of the sums incurred and paid by them in respect of such portion of railway and the lands and properties acquired therefor and in connexion therewith as aforesaid and of the said net earnings rents and profits which account shall be delivered to the Company on or before the first day of August one thousand eight hundred and eighty-four. Provided that if the amount to be paid to the Metropolitan Company by the Company shall not have been agreed or ascertained before the opening for traffic of the Inner Circle Railway No. 1 the Company shall be entitled to exercise their rights as such joint owners as aforesaid upon payment to the Metropolitan Company of the sum of two hundred and fifty thousand pounds reserving to both companies their several rights to claim or to dispute any of the items of such account before any arbitrator or umpire to whom the same may be referred under the provision herein-after contained the Company being bound to pay such further sum (if any) as the arbitrator may determine and the Metropolitan Company being in like manner bound to repay to the Company such sum (if any) with interest on the balances in both cases at the rate of four pounds ten shillings per centum per annum as the arbitrator may determine to have been paid by them in excess of the amount for which they are liable under the terms of section 6 of the Metropolitan Railway Act 1881 and of this section. Provided always that if any difference as to the amount of the moneys so to be paid shall arise between the Company and the Metropolitan Company the same shall be determined by arbitration in manner provided by the Railway Companies Arbitration Act 1859.

Provisions  
as to raising  
capital under  
London and  
South-  
western  
and Metro-  
politan Dis-  
trict Railway

**21.** Notwithstanding and in addition to the provisions of sub-section H. of section 31 in the London and South-western and Metropolitan District Railway Companies (Kingston and London Railway) Act 1882 (herein-after called the Kingston Act 1882) by which it is enacted that the London and South-western Railway Company (herein-after called "the South-western Company") may provide more than one half of the capital of seven hundred and thirty

thousand pounds and that the interest upon such excess of contribution shall be a first charge on the proportion payable to the Company of the balance or residue of the joint property fund to be formed in accordance with the agreement scheduled to that Act and on the whole of the gross receipts of the Company after deducting forty-five per cent. for working expenses arising upon the lines of the Company other than the Kingston and London Railway (herein called "the Kingston Railway") from traffic to and from the Kingston Railway and in addition thereto upon all moneys payable to the Company by the South-western Company for passing over the railways of the Company it shall be lawful for the Company to create and issue stock or shares to be called the Metropolitan District (Kingston and London) Railway stock or shares to any amount not exceeding four hundred and eighty-six thousand six hundred and sixty-six pounds to bear a dividend of four per centum per annum which shall form the first charge on the proportion payable to the Company of the balance or residue of the joint property fund before referred to and on the whole of the gross receipts of the Company after deducting forty-five per centum for working expenses arising upon the lines of the Company other than the Kingston Railway from traffic to and from the Kingston Railway and in addition thereto upon all moneys payable to the Company by the South-western Company for the passage over any railway or railways of the Company of traffic passing over the said railway or railways and also over the Kingston Railway or any part thereof.

A.D. 1884.

Companies  
 (Kingston  
 and London  
 Railway)  
 Act 1882.

**22.** If the Company create and issue any stock or shares under the powers of the immediately preceding section their powers of borrowing on mortgage under subsection M of the said section 31 of the Kingston Act 1882 shall thereupon absolutely cease and be by this Act determined. The powers given to the Company by the same Act to raise capital for the purposes thereof shall also be diminished by the amount of any capital raised under the powers of the said immediately preceding section. The powers given to the Company by the Kingston Act 1882 to raise preference capital are hereby repealed.

Repeal in  
 certain  
 event of  
 powers  
 granted to  
 Company  
 by the  
 Kingston  
 Act.

**23.** The liability of the Company under any claim for compensation for injury or otherwise in respect of any passenger travelling with a ticket marked "workman's ticket" at a rate not exceeding one penny for the single journey or twopence for the double journey shall be limited to a sum not exceeding one hundred pounds and this whether the ticket be issued by the Company or by any company having arrangements for booking over the Company's railways and

As to trains  
 for labour-  
 ing classes.

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As to  
establish-  
ment of  
funds for  
benefit of  
officers and  
servants of  
the Com-  
pany.

**24.** The directors of the Company may with the sanction of three-fourths of the votes of the shareholders present (personally or by proxy) at a meeting of the Company specially convened for the purpose contribute out of the funds of the Company towards the establishment or maintenance of any society or societies to be established under the provisions of the Friendly Societies Acts for the payment of allowances on account of accidents happening to officers or servants of the Company in the discharge of their duty allowances during sickness superannuation and other allowances or for the widows and orphans of officers and servants of the Company. The moneys received on account of the fund of any such society may from time to time be invested in the purchase of mortgages or debenture or guaranteed stock of the Company.

Powers to  
take parts  
only of  
certain  
properties.

**25.** And whereas in the construction of the works hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the lands and buildings shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto: Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the lands or buildings described in the First Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Company the portions only of the premises so required without the Company being obliged or compellable to purchase the whole or any greater portion thereof the Company paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Company  
may apply  
their funds  
towards the  
purposes of  
this Act.

**26.** The Company may apply to the purposes 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 mortgage by virtue of any Acts relating to the Company and which may not be required for the purposes to which they are by any such Acts made specially applicable.

27. Whereas by section 68 of the Act of 1879 the Company were authorised to borrow on mortgage any sums not exceeding four hundred thousand pounds in two instalments of two hundred thousand pounds each in respect of each six hundred and twenty-five thousand pounds of the capital of one million two hundred and fifty thousand pounds which they were by that Act authorised to raise and whereas the Company in pursuance of the provisions of that Act and subject to the conditions thereby prescribed have borrowed on mortgage the sum of two hundred thousand pounds and have raised in shares fully paid up the sum of one million pounds and it is expedient that they be authorised to borrow the said second sum of two hundred thousand pounds upon mortgage in the proportions and subject to the conditions after mentioned Therefore the Company may in respect of the sum of six hundred and twenty-five thousand pounds being the second half of the total sum which the Company were by the Act of 1879 by shares authorised to raise from time to time borrow on mortgage of the undertaking any sum not exceeding in the whole two hundred thousand pounds in manner following (that is to say): In respect of the sum of three hundred and seventy-five thousand pounds of such capital any sum not exceeding in the whole one hundred and twenty-five thousand pounds and in respect of the remaining two hundred and fifty thousand pounds of such capital any sum not exceeding in the whole seventy-five thousand pounds but no part of any such several sums of one hundred and twenty-five thousand pounds and seventy-five thousand pounds shall be borrowed until shares for so much of the respective portion of capital in respect of which the said sums are authorised to be borrowed as is to be raised by shares are issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such respective portion of capital have been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such respective portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the respective portions of the said capital as is to be raised by the Company by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted bonâ fide and are held by the persons or corporations to whom the same are issued or their executors administrators successors or assigns

A.D. 1884.  
Provisions  
as to Com-  
pany's  
borrowing  
powers  
under Act  
of 1879.

A.D. 1884. — and also that such corporations or their executors administrators or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which shall be sufficient evidence thereof.

For appointment of a receiver.

**28.** Every provision in any Act passed before the present session of Parliament whereby the Company is authorised to raise by borrowing money for the purposes of their undertaking with respect to the appointment of a receiver for enforcing payment by the Company of arrears of principal money or principal money and interest shall be and the same 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 provision. The mortgagees of the 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.

Existing mortgages to have priority.

**29.** All mortgages and bonds granted by the Company in pursuance of the powers of any Act of Parliament passed before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages and bonds and subject to the provisions of the Acts under which such mortgages and bonds were respectively granted have priority over any mortgages granted after the passing of this Act by the Company but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Company.

Debenture stock-

**30.** The Company may subject to the provisions of Part III. of the Companies Clauses Act 1863 and of this Act create and issue debenture stock. But notwithstanding anything therein contained the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank *pari passu* with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

**31.** All moneys raised by the Company under this Act whether by shares stock debenture stock or borrowing shall be applied only to the purposes of or directed by this Act and subject thereto to the



general purposes of the<sup>d</sup> undertaking of the Company and in every case to purposes to which capital is properly applicable. A.D. 1884.

**32.** The Company may demand and take for the use of the subway by this Act authorised a sum not exceeding twopence in respect of every person using the same. Tolls for use of subway.

**33.** The indenture of conveyance dated the thirty-first day of December one thousand eight hundred and seventy-five particulars whereof are stated in the Second Schedule to this Act is hereby confirmed and made binding on the Company. Confirming a certain indenture of conveyance.

**34.** No interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying any shareholder 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 not to be paid on calls paid up.

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

**36.** Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies now in force or which may hereafter pass during this or any future session of Parliament or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or the rates for small parcels authorised to be taken by the Company. Provisions as to general Railway Acts.

**37.** 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 Company. Expenses of Act.

A.D. 1884.

**SCHEDULES** referred to in the foregoing Act.

**FIRST SCHEDULE.**

Describing LANDS and BUILDINGS of which portions only may be required.

Parish.	No. on deposited Plans.
St. Mary. Whitechapel - - -	Nos. 8A and 13.

**SECOND SCHEDULE.**

PARTICULARS OF INDENTURE CONFIRMED BY THIS ACT.

An indenture dated the thirty-first day of December one thousand eight hundred and seventy-five made between the Metropolitan District Railway Company (therein called the railway company) of the first part John Frederick Wieland of the second part and the Midland Land and Investment Corporation Limited (therein called the land corporation) of the third part whereby in consideration of forty-seven thousand seven hundred pounds paid by the land corporation to the railway company the railway company granted to the land corporation the lands and hereditaments now known as Palace Chambers Westminster by the description of Firstly the piece of land and hereditaments situate in the parish of Saint Margaret Westminster in the county of Middlesex and delineated on the plan drawn on that indenture and thereon coloured pink. Secondly the piece of land and hereditaments situate in the same parish delineated on the said plan and thereon coloured green. Thirdly the right to maintain and use the buildings then existing over so much of the station and line of railway walls and other works of the railway company as were delineated and described on the said plan and thereon distinguished by blue lines and the letter "B." Except and reserving to the railway company the line of railway and station of the railway company lying under the said buildings with full powers (as expressed in the said indenture) of entry on the premises granted for all purposes incidental to the maintenance protection or working of the said railway. To hold unto and to the use of the land corporation and their assigns subject as between the land corporation and the said John Frederick Wieland to a certain right or equity of redemption not affecting the railway company.