



CHAPTER ccvii.

An Act to empower the City and South London Railway Company to make an Underground Railway to Islington and to extend the time for the purchase of lands for and for the completion of the Underground Railway authorised by the City and South London Railway Act 1890 and for other purposes. [24th August 1893.]

A.D. 1893.

WHEREAS the City of London and Southwark Subway Company (herein-after called "the Company") were incorporated by the City of London and Southwark Subway Act 1884 (herein-after called "the Act of 1884") and were authorised to construct a subway under the River Thames from King William Street in the city of London to Short Street in the parish of St. Mary Newington then in the county of Surrey and now in the county of London :

And whereas by the City of London and Southwark Subway (Kennington Extensions &c.) Act 1887 (herein-after called "the Act of 1887") the Company were authorised to extend their subway to Kennington and Stockwell in the same county :

And whereas by the City and South London Railway Act 1890 (herein-after called "the Act of 1890") the Company were authorised to extend their subway or underground railway to Clapham and the name of the Company was changed to the City and South London Railway Company :

And whereas it is expedient that the Company should be empowered to make the new underground railway together with the foot subways in this Act mentioned or referred to :

And whereas plans and sections showing the lines and levels of the underground railway and other works authorised by this Act and plans showing the lands required or which may be taken for the purposes or under the powers of this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly

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A.D. 1893. deposited with the clerk of the peace for the county of London and are herein-after referred to as the deposited plans sections and book of reference :

And whereas it is expedient that the Company and the London Brighton and South Coast Railway Company (in this Act called "the Brighton Company") should be empowered to make agreements for the purposes in this Act mentioned :

And whereas it is expedient that the powers for the compulsory purchase of lands granted by the Act of 1890 and the period for the completion of the underground railway by that Act authorised should respectively be extended as by this Act provided :

And whereas it is expedient that the Company should be empowered to raise additional capital for the purposes of this Act and for the general purposes of their undertaking and that provision should be made as contained in this Act for constituting such capital a separate capital and the works by this Act authorised a separate undertaking :

And whereas the objects of this Act cannot be attained 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) :—

Short title.

1. This Act may be cited for all purposes as the City and South London Railway Act 1893 and the Act of 1884 the Act of 1887 the Act of 1890 and this Act may be cited together as the City and South London Railway Acts 1884 to 1893.

Incorporation of general Acts.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say) :—

The Lands Clauses Acts :

Part II. (relating to extension of time) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 :

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

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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

The forfeiture of shares for nonpayment of calls ;

The remedies of creditors of the Company against the share- A.D. 1893.
holders ;

The consolidation of the shares into stock ;

The general meetings of the Company and the exercise of
the right of voting by the shareholders ;

The making of dividends ;

The borrowing of money on mortgage or bond ;

The conversion of the borrowed money into capital ;

The giving of notices ; and

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

And Part I. (relating to cancellation and surrender of shares)

Part II. (relating to additional capital) and Part III. (relating
to debenture stock) of the Companies Clauses Act 1863.

3. In this Act unless there be something in the subject or con- Interpreta-
tion.
text repugnant to such construction the several words and expressions
to which meanings are assigned by the Acts wholly or partially
incorporated herewith have the same respective meanings :

The expression "the railway" means the underground railway
and works by this Act authorised :

The expression "the railways" means and includes the subways
and underground railways and works authorised by the Acts of
1884 1887 1890 and this Act :

The expression "the undertaking" means the undertaking of the
Company as authorised by the Acts of 1884 1887 1890 and
this Act :

The expression "the Corporation" means the mayor aldermen
and commons of the city of London in common council
assembled :

The expression "the Commissioners" means the Commissioners
of Sewers of the City of London :

The expression "the Council" means the London County Council :

The expression "superior courts" or "court of competent juris-
diction" or any like expression in this Act or any Act wholly
or partially incorporated herewith shall for the purposes of
this Act 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 :

The expressions "parish clerks" and "clerks of the several
parishes" in sections 7 8 and 9 of the Railways Clauses Con-
solidation Act 1845 shall with reference to the Company and
as regards those parishes or places within the metropolis as

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defined by the Metropolis Management Act 1855 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 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
Company
to make
underground
railway.

4. 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 underground railway together with the subways for foot passengers herein-after described with all necessary proper and convenient stations platforms sidings approaches passages stairs subways tunnels shafts lifts buildings apparatus generating plant depôts machinery appliances 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 that purpose.

The works authorised by this Act are as follows:—

A railway two miles five furlongs three chains and fifty links in length commencing in the parish of Saint George the Martyr Southwark in and under the High Street Borough at a point eighty yards or thereabouts measured in a northerly direction from the church of Saint George the Martyr and terminating in and under the City Road Islington at a point forty-five yards or thereabouts from the northern end of that road:

A subway for foot passengers commencing in and under the High Street Borough at or near the junction with that street of Denman Street and terminating at a point in the London Bridge Station of the London Brighton and South Coast Railway Company fifty yards or thereabouts measured in an easterly direction from Joiner Street:

A subway for foot passengers commencing in the parish of Saint Margaret in the city of London in and under Arthur Street East at a point twenty yards or thereabouts measured in an easterly direction from the junction of that street with King William Street and terminating in the parish of Saint Leonard Eastcheap in the city of London at or near the north end of Fish Street Hill:

Provided always that (except as provided by the section of this Act of which the marginal note is "Restriction on breaking up streets") nothing in this Act shall authorise the Company to enter upon take or use the surface of any public street or road but (subject as aforesaid) the Company may enter upon take and use the

subsoil and under surface of any public street road or footway shown on the deposited plans and described in the deposited book of reference or so much thereof as shall be necessary for the purposes aforesaid. A.D. 1893.

5.—(1.) The railway shall be constructed in two tunnels for separate up and down traffic and shall be approached by means of stairs or inclines and hydraulic or other lifts: General provisions as to mode of construction.

(2.)—(A.) The tunnels of which the railway consists (including those for the stations) and all tunnels whether temporary or permanent shall be constructed by means of steel or other sufficient metal shields driven forward or onward by hydraulic pressure as the work proceeds such shields being of sufficient length to protect the whole of the soil for a reasonable distance both in front of and behind the working faces. All such tunnels shall be lined throughout with iron or other sufficient metal plates properly jointed throughout;

(B.) Every shaft shall be constructed as a cylinder of iron sunk from the surface of the earth to a depth of at least eight feet below the surface of the London clay at each such shaft. Every such shaft shall below the said depths be constructed in manner aforesaid or by underpinning;

(C.) The station tunnels shall not have an internal diameter exceeding twenty-three feet and the tunnels between the stations shall not (except where necessary for adjustment at curves) have an internal diameter exceeding eleven feet six inches and the internal diameter of the shafts shall not exceed forty feet:

(3.) Sufficient trial borings shall be kept ahead of the works in all tunnels and shafts in order to ascertain by frequent examinations the nature of the soil in advance of the working faces and the Company may make such borings subject to such reasonable restrictions as to surface borings as the local authority having the maintenance of the streets may impose:

(4.) Any space between the lining of the tunnels (including stations) and the surrounding soil shall be properly filled up with lime or cement grouting placed therein under pressure:

(5.) Before commencing any of the above works at any point the Company shall provide air-compressing machinery sufficient to provide a proper quantity of air at such pressure as will prevent the advent or inflow of any sand gravel water or soil and the Company shall take such precautions that they may at any time during the progress of the work be able to carry on the tunnelling under compressed air. All such machinery shall be kept in full working order until the completion of the works in respect of which it is to

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(6.) Should the nature of the soil extracted by means of the said trial borings be such as to show that it would be reasonably necessary or prudent to work at any working face under compressed air then the Company shall immediately stop all further excavating work and the further driving of the tunnel at such working face until the said machinery and apparatus is in position and in full working order and the work at such working face shall be carried on under compressed air until the said trial borings shall show that such precautions may be reasonably and prudently dispensed with :

(7.) Except in the case of unforeseen accident or for the purpose of removing rain water or other trifling amounts of water no use shall be made of pumping or other modes of removing water from the work The compressed air shall be used as herein-before provided and so as to restrain the advent or inflow of water into the tunnels.

Motive
power.

6. The traffic of the railway shall be worked by means of carriages propelled by electricity or by such means other than steam locomotives as the Board of Trade may from time to time approve.

Restrictions
on use of
electric
power.

7. The following provisions shall apply to the use by the Company of electric power under the provisions of this Act unless such power is entirely contained in and carried along with the carriages :—

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

(2.) The Company shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their undertaking so as not injuriously to affect by fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances :

(3.) The exercise of the powers by this Act conferred with respect to the use of electric power shall be subject to regulations to be prescribed by the Board of Trade within nine months after the passing of this Act herein-after referred to as the prescribed regulations and to any regulations which may be added thereto or substituted therefor respectively by any order which the Board of Trade may and which they are hereby empowered to make from time to time as or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for

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minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return :

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(4.) The Company using electric power contrary to the provisions of this Act or to any of the prescribed regulations or to any regulation added thereto or substituted therefor by any order made by the Board of Trade under the authority of this Act shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof. Provided always that whether any such penalty has been recovered or not the Board of Trade in case in their opinion the Company in the use of electric power under the authority of this Act have made default in complying with the provisions of this Act or with any of the prescribed regulations or with any regulation which may have been added thereto or substituted therefor as aforesaid may by order direct the Company to cease to use electric power and thereupon the Company shall cease to use electric power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order :

(5.) The Company shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus. Provided always that the Company shall be deemed to take all such reasonable and proper precautions as aforesaid if and so long as they adopt and employ at the option of the Company either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of

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the undertaking Provided also that at the expiration of a period of three years from the passing of this Act nothing in this sub-section shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents Provided further that the Board of Trade may by order extend the said period of three years in respect of all or any part or parts of such wires lines or apparatus and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such order and the reasons therefor If any difference arises between the Company and any other party with respect to anything in this sub-section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be :

- (6.) Nothing in this section shall apply to the use of any electric line circuit or work of any company corporation or person authorised by Act of Parliament or provisional order confirmed by Parliament to supply energy for electric lighting purposes so far as such use is limited to such purposes.

Tolls &c.

8. With respect to tolls rates and charges and for all other purposes whatsoever the railway shall (subject to the provisions contained in this Act for constituting the same a separate undertaking) be part of the Company's undertaking and the Company may demand tolls rates and charges in respect thereof not exceeding those authorised by the Act of 1890 :

Provided always that where passengers or parcels are conveyed partly on the existing or authorised railways of the Company and partly on the railway by this Act authorised the whole of such railways shall for the purpose of short distance rates and charges be considered one railway and in estimating the amount of rates and charges in respect of passengers conveyed on any part of the said railways for a less distance than two miles the Company may demand and take rates and charges as for two miles only and any fraction of a mile beyond two miles or beyond any greater number of miles shall be deemed one mile.

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9. If any omission mis-statement or wrong description of any lands or of any owner lessee or occupier of any lands described in or intended or purporting to be described in the deposited plans and book of reference be discovered the following provisions shall have effect (that is to say) :—

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Correction
of errors as
to lands.

The Company may apply to a police magistrate or two justices for the correction thereof giving ten days notice in writing to the owners lessees and occupiers of the lands affected by the proposed correction :

If it appears to such magistrate or justices that the omission mis-statement or wrong description arose from mistake he or they shall certify the same stating in the certificate the particulars of the omission mis-statement or wrong description :

The certificate shall be deposited as if the same had originally formed part of the deposited plans or book of reference (as the case may be) and shall be kept therewith and shall be deemed to be part thereof and thereupon the deposited plans and book of reference shall be deemed to be corrected according to the certificate and the Company may enter upon take and use the lands for the several purposes to which they are appropriated by this Act in accordance with the certificate as if there had not been any omission mis-statement or wrong description.

10. The Company may but only by agreement purchase acquire and hold any land adjoining or near to the railway not exceeding in the whole three acres for extraordinary purposes Such extraordinary purposes include the making and providing additional stations sidings yards and places for the accommodation of passengers storage or standing room for carriages the erection of offices engine or machinery houses and other buildings and conveniences the making approaches to the railway and any other purpose which may be requisite or convenient for the formation or use of the railway but nothing in this Act shall exonerate the Company from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them on any land taken by agreement under the powers of this section :

Lands for
extra-
ordinary
purposes.

Provided always that for the purposes of this section extraordinary purposes shall not without the consent of the Corporation within the city of London or of the Council without the city include the erection of buildings or works for generating electricity

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A.D. 1893. — or the provision of yards wharves and places for receiving depositing and loading or unloading goods or cattle Any buildings erected on any land acquired under this section (except such buildings or parts of buildings as may be used for the purposes of a station) shall be subject to the provisions of the Acts relating to buildings in the metropolis.

Restrictions
on displacing
persons of
the labouring
class.

11.—(1.) The Company shall not under the powers of this Act or of the Act of 1890 purchase or acquire in any parish in the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses which after the passing of this Act have been or on the fifteenth day of December next before the passing of the Act of 1890 or of this Act as the case may be were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

(A.) Shall have obtained the approval of the Secretary of State for the Home Department to a scheme for providing new dwellings for such number of persons as were residing in such houses on the respective fifteenth day of December aforesaid or for such number of persons as the said Secretary of State shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B.) Shall have given security to the satisfaction of the said Secretary of State for the carrying out of the scheme:

(2.) The approval of the said Secretary of State to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme:

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the said Secretary of State may dispense with the last-mentioned requirement subject to such conditions (if any) as he may think fit:

(4.) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State may have approved of any scheme or of any modifications of any scheme or

subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the said Secretary of State out of the High Court : A.D. 1893.

(5.) If the Company acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom :

Provided that the court may if it think fit reduce such penalty :

(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require :

(7.) The Company may on any lands belonging to them or purchased or acquired under this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the said Secretary of State may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he may see fit :

(8.) All buildings erected or provided by the Company for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts :

(9.) The said Secretary of State may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes

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A.D. 1893. of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875 :

(10.) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector :

(11.) Any houses occupied by persons of the labouring class situate in the metropolis and acquired by or on behalf of the Company within five years before the passing of this Act shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December one thousand eight hundred and ninety by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the said Secretary of State is unable to satisfy himself as to the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the said Secretary of State they might have been sufficient to accommodate :

(12.) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Period for compulsory purchase of lands.

Persons authorised to convey lands may grant easements.

12. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water) 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.

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14. Notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained the Company may from time to time sell lease or otherwise dispose of in such manner for such consideration and on such terms and conditions as they think fit and in case of sale either in consideration of a gross sum or of an annual rent or of any payment in any other form any lands or any interest in any lands acquired by them under this Act and not required for the works and may make execute and do any deed act or thing proper for effectuating any such sale lease or other disposition.

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Power to sell
&c. lands.

15. In the execution of the railway stations and works by this Act authorised but subject to the provisions of this Act the Company may deviate laterally from the lines thereof shown on the deposited plans to any extent within the limits of deviation shown thereon and may deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient :

Powers of
deviation.

Provided always that nothing in this section contained shall authorise the Company to deviate from the line of the railway as shown as aforesaid so that any part thereof shall extend under the front wall (above the street level) of any house or building (not mentioned in the First Schedule of this Act) abutting upon any street under and along which the railway is constructed unless such house or building shall have been purchased by the Company or the consent in writing of the owners lessees and occupiers thereof shall have been first obtained :

Provided also that it shall not be lawful for the Company to deviate upwards from the levels of the railway as marked as aforesaid to a greater extent than ten feet where the uppermost rails are thirty-nine feet but less than sixty feet below the surface of the ground or to a greater extent than fifteen feet where such rails are sixty feet or more below the surface of the ground.

16. The Company shall cause the remains of any person interred in St. Mary Woolnoth Churchyard which it may be necessary to remove in constructing the railway to be removed under the superintendence of the medical officer of health of the city of London and interred in some consecrated public cemetery or burial ground wherein burials may lawfully take place and shall cause any monuments tablets and tombstones in the said churchyard to be removed to and fixed or re-erected in such other consecrated public cemetery or burial ground as aforesaid Provided that the legal representatives or failing such legal representatives the relations or friends of any person whose remains shall be interred in the said churchyard may

As to re-
moval of
remains in
St. Mary
Woolnoth
Churchyard.

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A.D. 1893. — if they so prefer (at the cost of the Company such cost not to exceed ten pounds in each case) and under such superintendence as aforesaid remove the remains of such person to any consecrated burial ground wherein burials may lawfully take place and remove the monument tablet or tombstone erected to the memory of such person to any place they may think fit.

Restriction
on breaking
up streets.

17. Except so far as may be necessary for the construction of the subway firstly described in and authorised by this Act and shown on the deposited plans and for trial borings the Company shall not for the purposes of or in connexion with the works by this Act authorised break up or disturb the surface of any street or road but nothing herein contained shall restrict the right of the Company to the use of streets or roads for the purposes of ordinary traffic or of access to or in connexion with any of their lands or buildings or take away or diminish any rights which they would have as owners or occupiers of lands or buildings abutting upon any street or road.

Company
not to inter-
fere with
the bed of
the river.

18. Nothing in this Act contained shall authorise or empower the Company to embank encroach upon or interfere with any part of the soil or bed of the River Thames or the shore thereof except according to the plan to be approved in writing by the Conservators of the River Thames and the Company in lieu of paying a consideration to be ascertained in pursuance of section 58 of the Thames Conservancy Act 1857 for a license or permission to tunnel under the river shall pay the sum of two hundred and fifty pounds to the Conservators for such license or permission which license or permission the said Conservators shall grant on payment of the said sum of two hundred and fifty pounds.

Inspection
by Board of
Trade.

19. The railway shall not be opened for public traffic until it has been inspected and certified to be fit for such traffic by the Board of Trade.

Company
may acquire
easements
only under
roads &c.

20. With respect to any lands which the Company are by this Act authorised to enter on and take and use for the purposes of the railway and works and which are under the roadway or footway of any street road or highway the Company shall not be required wholly to take those lands or any part of the surface thereof or any cellar vault or other construction therein or thereunder held or connected with any house in any such street road or highway but the Company may appropriate and use the subsoil and under surface of any such roadway or footway.

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21. With respect to the properties shown on the deposited plans which are described or referred to in the First Schedule to this Act the Company shall not be required wholly to take the same or any part of the surface thereof but they may purchase take and use and the owners of and other persons interested in any such property shall sell an easement or right of using the subsoil or under surface thereof for the purposes for which but for this enactment they might have been required to sell such property and the provisions of the Lands Clauses Acts with respect to lands shall extend and apply to such subsoil easement or right of user provided that no such subsoil easement or right of user shall be deemed part of a house or other building or manufactory within the meaning of section 92 of the Lands Clauses Consolidation Act 1845.

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Owners may be required to grant easements only under certain properties.

22. Nothing in this Act shall authorise the Company to enter upon take or use (except by agreement) any cellar or vault in or under any street belonging to or connected with any building unless such cellar or vault or the building with which it is connected is described in the deposited book of reference.

Provision as to cellars under streets not scheduled.

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

Period for completion of works.

24. If the Company fail within the period limited by this Act to complete the railway by this Act authorised the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the railway and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 :

Penalty imposed unless new railway opened within the time limited.

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

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

Application
of penalty
for non-
completion
of railways.

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

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

Act not to
relieve
Company
from com-
pensation
&c.

26. Nothing in this Act contained nor any dealing with lands in pursuance of this Act shall relieve the Company from the liability to compensation under the sixty-eighth section of the Lands Clauses Consolidation Act 1845 or under any other enactment and every case of compensation to be ascertained under this Act shall be ascertained according to the provisions contained in the Lands Clauses Acts as varied by the Regulation of Railways Act 1868.

Extending
certain
sections of
Acts of
1884 1887
and 1890 to
this Act.

27. The sections of the Act of 1884 the Act of 1887 and the Act of 1890 which are enumerated and referred to in the Second Schedule to this Act are incorporated with and form part of this Act and shall extend and apply mutatis mutandis to the works by this Act authorised the roads under and along which the same are to be laid the Council as successors to the Metropolitan Board of

Works and the road authorities companies and persons affected by the construction thereof as fully and effectually to all intents and purposes as if those sections had been repeated and expressly re-enacted in this Act with reference thereto And in construing sections 71 to 75 of the Act of 1884 and section 37 of the Act of 1887 for the purposes of this Act the London Hydraulic Power Company shall be deemed to be a water company. A.D. 1893.
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28. For the protection of the Corporation as owners of London Bridge and of the warehouses wharves and property on the eastern side of the bridge abutments north and south of the river and shown upon the deposited plans and thereon numbered respectively 16 17 19 22 23 24 25 26 and 27 and of their lessees and tenants thereof the following provisions shall have effect (that is to say):— For the
protection
of the Cor-
poration.

(A.) The words "London Bridge" in this section shall be held to include the bridge itself across the River Thames with its abutments and all steps adjoining the bridge and leading to the River Thames :

(B.) The Company shall construct the railway between the points two furlongs seven chains and four furlongs seven chains on the deposited plans herein-after called the "stipulated distance" along the eastern limit of deviation shown on the deposited plans or as near thereto as curves of equal radius to those shown on the said plans will permit and the upper surface of the Company's tunnel or works shall nowhere within such stipulated distance be higher than sixty feet below Trinity high-water mark :

(C.) Before the Company commence any of the said works or any alteration or repairs thereof within the stipulated distance they shall from time to time give to the Corporation and their lessees and tenants one month's notice in writing of their intention so to do accompanied by full and detailed plans sections and specifications of the work so to be executed and no such work shall be commenced until the Corporation shall have signified their approval in writing of such plans sections and specifications and the Corporation shall within twenty-one days from such notice signify their approval or disapproval in writing but such approval shall not be unreasonably withheld :

(D.) The Company shall if so required by the Corporation sink cylinders or cassoons through the eastern steps at both or either of the said abutments of London Bridge to such a depth or execute such other protective works within the powers of the Company as the engineer or engineers of the Corporation

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shall deem necessary for ensuring the safety of such abutments steps warehouses wharves and property :

- (E.) The construction of the railway shall for such distance as the same shall be driven within the said stipulated distance be proceeded with as rapidly as possible and without cessation and shall if so required by the Corporation be driven under compressed air of sufficient pressure to prevent any advent or inflow of water. Sufficient trial borings shall be kept ahead of the works in all tunnels and shafts in order to ascertain by frequent examination the nature of the soil in advance of the working faces. The Company shall immediately stop all further excavating work and the further driving of the tunnel at such working face should the said trial borings show that it would be reasonably necessary or prudent so to do pending the decision of an arbitrator to be appointed as herein-after mentioned :
- (F.) The railway shall within the stipulated distance be formed of two longitudinal iron cylinders and such cylinders shall not be more than thirteen feet in external diameter and such cylinders shall be constructed and placed by means of shields which shall always be in connexion with and outside of the cylinders. The space left by moving forward the shields to make room for the segments of the cylinders between the clay and the cylinders shall be immediately filled in with the most suitable description of lime or cement grouting forced through holes in the cylinders under pressure :
- (G.) No shaft shall be made within the stipulated distance unless the special consent in writing of the Corporation thereto be first obtained :
- (H.) The Company shall at all times and for ever hereafter maintain and keep so much of the railway as shall be situate within the said stipulated distance in good substantial and safe repair and condition to the satisfaction of the engineer or engineers of the Corporation and such engineer or engineers shall at all times have free access to the last-mentioned portion of the railway and every facility shall be afforded him or them for inspection thereof and every notice which he or they may give touching any defect or want of repair shall immediately or as soon as possible be complied with by the Company :
- (I.) On no account and under no pretext whatsoever shall the soil beneath the foundations of London Bridge or of the said warehouses and wharves or any part thereof be disturbed except for the purpose of the works mentioned in sub-section (D)

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of this section either during the construction of the works or for the purpose of any repairs thereto nor shall any of the soil within the said stipulated distance other than that actually required in the judgment of the engineer or engineers of the Corporation to be removed in order to make way for the cylinders referred to in sub-section (F) be taken away or disturbed either during the construction of the railway or at any time after its completion for any purpose whatsoever without the previous consent in writing of the Corporation Provided always that in carrying out the works mentioned in sub-section (D) the soil beneath the property No. 19 on the deposited plans shall not be disturbed :

(J.) The construction of the railway shall for such distance as the same shall be driven within the said stipulated distance be subject at all times to the inspection of the engineer or engineers for the time being of the Corporation :

(K.) Such engineer or engineers shall be at liberty at any time if in his or their opinion after inspection it shall be necessary for the security of London Bridge or the said warehouses and wharves so to do to stop the construction of so much of the railway as shall be situate within the said stipulated distance pending the decision of an arbitrator to be appointed as herein-after mentioned :

(L.) In the event of any such stoppage as aforesaid and the confirmation thereof by such arbitrator the future construction of the railway within the stipulated distance shall be carried out in accordance in all respects with the directions of such arbitrator :

(M.) All costs charges and expenses incurred by the Corporation and their lessees and tenants in respect of any of the matters in this section contained other than matters which become the subject of arbitration under the provision next herein-after contained shall be borne and paid by the Company and all costs charges and expenses incurred by the Corporation or the Company which shall become the subject of arbitration shall be in the discretion of the arbitrator and all costs herein provided for may be recovered by the Corporation or the Company as the case may be with full costs of suit in any court of competent jurisdiction :

(N.) Any difference which may arise under the provisions of this section other than differences arising under sub-sections (D) and (G) between the Corporation and the Company shall be from time to time referred to and determined by an

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engineer to be agreed upon between the Company and the Corporation or failing such agreement by an engineer to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers :

(o.) The approval by the Corporation of any plans or the superintendence by the engineer of the Corporation of any works shall not exonerate the Company from any liability for damage caused by them to London Bridge and the said warehouses wharves and property :

(p.) Nothing in this section contained shall override or interfere with the provisions contained in the Act of 1884 and this Act for the protection of the Conservators of the River Thames but the said provisions shall remain of full force and effect.

No ventilators &c. to be in roadways or footways.

29. The Company shall not for the purposes of or in connexion with the works by this Act authorised open or make any ventilators air shafts or other similar openings in any roadway or footway.

Buildings not to be brought beyond general line &c.

30. Notwithstanding anything contained in this Act or shown on the deposited plans it shall not be lawful for the Company to encroach upon any part of the surface of any street or footway or without the consent of the Commissioners as regards any street within the city of London or of the Council as regards any street without the city to erect or maintain any building beyond the general line of building in any street.

Prohibiting placards and advertisements in city.

31. The Company shall not exhibit or permit to be exhibited upon any part of their premises within view of any public street within the city of London any placards or advertisements other than those relating to the railway unless the same shall have been approved in writing by the Commissioners.

Conditions to be observed in opening road for boring purposes within the city of London.

32. At least seven clear days before commencing any vertical borings from the surface of any part of any street within the city of London the Company shall serve notice in writing of their intention to commence the same on the engineer of the Commissioners and such notice shall describe the place or places at which such borings are intended to be made and if within seven days after the service of such notice any objection is made by the engineer of the Commissioners the matter shall unless otherwise agreed between them be determined by arbitration before the boring is commenced but if no such objection is made the said borings may be proceeded with :

The Company shall not unless with the consent of the Commissioners carry on any works of boring through any part of the

surface of a street within the city of London except between the hours of ten in the evening and eight in the morning. A.D. 1893.

33. In the construction of so much of the railway as is situate within the city of London the Company shall not except with the consent of the Commissioners permit or suffer any cart waggon or other vehicle employed in removing from or bringing to the said works any soil materials or plant to be loaded or unloaded in any part of the public thoroughfare and shall not permit or suffer any cart waggon or other vehicle to carry any soil excavated from the railway through the streets of the said city in the daytime between the hours of eight in the morning and seven in the evening except in carts or waggons so constructed as to prevent any of such soil dropping therefrom and the Commissioner of the City Police shall be at liberty to seize and retain without notice any cart waggon or other vehicle used in contravention of this enactment together with its contents and any horses and harness attached thereto and upon proof of the facts before a court of summary jurisdiction the said court may authorise such cart waggon or other vehicle to be sold together with its contents and the horses and harness attached thereto and apply the proceeds after deducting the costs incident to such seizure and proceedings before the said court to the City of London Police Superannuation Fund.

As to carting materials and soil within the city.

34. The plans elevations and specifications of any station in the city of London shall be submitted to the Corporation for their approval as to the elevation and the facilities of ingress egress and the accommodation of passengers and such stations shall be constructed in accordance with such approved plans elevations and specifications but if the Corporation shall fail to approve of the same they shall be settled by an engineer to be agreed upon between the Company and the Corporation or failing such agreement by an engineer to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers but nothing in this Act contained shall affect the exercise of any powers vested by any Act of Parliament in the Commissioners.

As to stations in the city.

35. The Corporation as owners or reputed owners of premises fronting on the west side of Finsbury Pavement between Short Street and Ropemaker Street shall be entitled to claim from the Company and the Company shall be liable to pay to the Corporation compensation for all structural damage which may be caused to the said premises by or from the construction or working of the railway notwithstanding that no portion of the said premises is actually taken by the Company.

Compensation in respect of premises fronting on Finsbury Pavement.

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As to areas
in front of
houses in
Finsbury
Pavement.

36. When the Company acquire any houses fronting on the street known as Finsbury Pavement they shall throw into the public way and sufficiently pave to the satisfaction of the Commissioners the space now used as open areas by the said houses and such space shall be dedicated to the public for ever and become a portion of the public way.

Electricity
not to be
generated on
lands in the
city of London.

37. The Company shall not generate electricity on in or under any lands acquired by them in the city of London.

Walls of
buildings to
be made
good.

38. The Company shall not where any house or building shall have been wholly or in part demolished by them leave any adjoining structures or any portion of a partly demolished structure in any unsightly condition for any longer period than is reasonably necessary.

Deposit of
objects of
interest.

39. The Company shall carefully preserve and remove all objects of geological or antiquarian interest discovered by them in the execution of their works and subject to the rights of the Crown and except so far as the same may be proved to be the property of any other person any such objects discovered in the city of London shall be deposited in the Guildhall Museum as the property of the Corporation.

Questions
of disputed
compensa-
tion for land
in the city of
London to
be heard in
the Lord
Mayor's
Court of
the city of
London.

40. In every case in which any question of disputed compensation shall be required to be determined by the verdict of a jury in the city of London or the liberties thereof the jury shall be required to appear before the court of the mayor and aldermen of the city of London to be holden in the outer chamber of the Guildhall of the said city according to the custom of the said city at a time to be appointed by the said court and all the directions and provisions contained in the Lands Clauses Consolidation Act 1845 in respect to the settlement of questions of disputed compensation by juries appearing before the sheriff coroner or other person shall extend and be applied with respect to the settlement of any such question of disputed compensation under this Act by juries appearing before the said court of mayor and aldermen as aforesaid and the said court shall give judgment for the purchase money or compensation assessed by such jury and a verdict and judgment shall be signed by the registrar of the said court of mayor and aldermen and entered among the records of the said court and the cost of every such inquiry shall in case of difference be settled in the manner directed by the fifty-second section of the Lands Clauses Consolidation Act 1845 and not otherwise.

As to arbi-
tration under

41. If any dispute shall arise as to the mode of executing for the purposes of this Act any of the works provided for by section 53

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of the Act of 1884 the matter in difference shall notwithstanding anything contained in that section be referred to an arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers whose decision shall be final and the costs of such reference and of the award shall be borne as such arbitrator shall direct.

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—
section 53 of
Act of 1884.

42. The Company shall in respect of all lands and buildings acquired by them under the powers of this Act within the city of London be liable to and pay all the consolidated sewer and other rates and contributions leviable in respect of such lands and buildings as if the Company were assessed in respect of such lands and buildings in the valuation list in force for the parish or place within which such lands and buildings are situate at the time the Company acquire such lands and buildings whether such lands and buildings be occupied or vacant and shall continue liable to and pay all such consolidated sewer and other rates and contributions until the undertaking shall be completed and assessed or liable to be assessed to the before-mentioned rates and contributions or until such of the said lands and buildings as may not be required for the purposes of the undertaking shall have been otherwise duly assessed or liable to be assessed and become liable to the before-mentioned rates and contributions.

Lands and
buildings
in the city
of London
to continue
liable to
rates.

43. At least seven clear days before commencing any vertical borings from the surface of any part of any street outside the city of London the Company shall serve notice in writing of their intention to commence the same on the engineer of the Council and such notice shall describe the place or places at which such borings are intended to be made and if within seven days after the service of such notice any objection is made by the engineer of the Council the matter shall unless otherwise agreed between them be determined by arbitration before the boring is commenced but if no such objection is made the said borings may be proceeded with.

Conditions to
be observed
in opening
road for
boring
purposes
outside city.

44. In the construction of the railway and works the Company shall not permit or suffer any cart or waggon or other vehicle employed in removing from or bringing to the said works any soil materials or plant to be loaded or unloaded in any part of the public thoroughfare except between the hours of ten o'clock p.m. and seven o'clock a.m. and shall not permit or suffer any cart waggon or other vehicle to carry any soil excavated from the railway or works through the public streets outside the city of London except in carts or waggons so constructed and managed as to prevent any of

As to carting
materials and
soil outside
city.

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such soil dropping therefrom and 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.

As to
entrances at
stations
outside city.

45. The entrance and exits to and from the station buildings of the Company and the waiting accommodation to be provided therein for passengers shall be so designed and of such extent as to secure the least practicable inconvenience to the public traffic in the adjoining streets and before the works are commenced plans thereof shall be submitted to the Council in respect of all stations outside the city of London and in default of agreement the same shall be determined by an arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers.

As to
subways.

46. Any subway by this Act authorised shall so far as it is to be constructed under and within twenty feet of the surface of any public street outside the city of London be constructed only in accordance with plans sections and specifications previously submitted to and reasonably approved by the engineer of the Council.

Inspection
of works by
Council.

47. It shall be lawful for the engineer or other officer of the Council duly appointed for the purpose by the said engineer from time to time to enter upon and inspect any works of the Company under or in the neighbourhood of any street or part of a street in or under which there are or may be any sewers or works of the Council and any subway which under the provisions of this Act is required to be constructed in accordance with plans sections and specifications approved by the said engineer.

Buildings to
be subject to
Metropolitan
Building
Acts.

48. Any buildings erected on any land acquired under this Act (except such buildings or parts of buildings as may be used for the purposes of railway works or a station) shall be subject to the provisions of the Acts relating to buildings in the metropolis.

Exhibition
of placards
outside city.

49. The Company shall not outside the city of London affix or exhibit or permit to be affixed or exhibited upon any part of the works authorised by this Act or upon any building or hoarding and whether during or after the construction of the works within view of any public street any placards or advertisements except such as shall have been approved in writing by the clerk or other officer of the Council and by the clerk to the district board or vestry of the district or parish in which such part of the works is situate and if

any such placard or advertisement be affixed or exhibited without such approval the said Council district board or vestry and their authorised officers may remove the same but this provision shall not prevent the Company from exhibiting on the outside of any station placards giving information to the public as to the traffic of the Company.

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50. In addition to the provisions for the protection of sewers which are contained in section 56 of the Act of 1884 as extended by the Act of 1890 and to the provisions contained in the section of this Act the marginal note of which is "General provisions as to mode of construction" the following provisions for the protection of sewers and of the Council shall have effect namely:—

Further provisions for the protection of sewers.

- (1.) As regards any work in respect of which the Company are under the provisions of the said first-mentioned section required to submit a plan and section to the Council the Council may require the Company in constructing such works to make any reasonable deviation within the limits prescribed by this Act from the line or levels shown upon such plan or section and the Company shall in constructing such work deviate accordingly but subject always to the other provisions of this Act:
- (2.) It shall not be lawful for the Company to remove any soil or material under any road except such as must be excavated from the space to be occupied by the tunnels and stations and the approaches thereto:
- (3.) The plans to be submitted to the Council for the purposes of this Act shall be detailed plans drawings sections and specifications describing the exact position and manner in which and the level at which the works are proposed to be constructed and shall accurately describe the position of all public sewers within the limits of deviation shown on the deposited plans so far as such position can be ascertained by reference to plans in the possession of the Council and access to the sewers and shall comprise detailed drawings of every alteration which the Company may propose to make in any sewer:
- (4.) The Council may require such modifications to be made in the said plans drawings sections and particulars as may be reasonably necessary to secure the sewers and drainage system of London against interference or risk of damage and to provide and secure a proper and convenient means of access to the said sewers.

51. The Company shall be liable to make good all injury or damage caused by or resulting from any of their works or operations

Damage to be made good.

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For the protection of the Saint Olave District Board of Works.

52. For the protection of the board of works for the Saint Olave district (in this section called "the Saint Olave Board") the following provisions shall have effect with respect to such of the railways subways and works as are to be constructed and made and such of the powers of the Company as are to be exercised within the said district (that is to say):—

- (1.) Any alteration diversion or interference with any sewer in Joiner Street under the jurisdiction or control of the Saint Olave Board shall be carried out in all respects subject to the provisions of section 56 of the Act of 1884:
- (2.) In case any part of any street place or pavement in the district or any sewer drain or work belonging to or under the control of the Saint Olave Board should sink or be in any way injuriously affected at any time by or in consequence of the works of the Company the Saint Olave Board may repair such street place pavement sewer drain or work and the Company shall pay to the Saint Olave Board the expense thereof on demand provided that the Saint Olave Board shall give immediate notice to the Company of its intention to do such repairs:
- (3.) If any difference arise between the Saint Olave Board and the Company touching this section or anything to be done thereunder such difference shall be determined in manner provided by the Railway Companies Arbitration Act 1859 by an engineer who shall be a member of the Institution of Civil Engineers to be appointed by the Board of Trade (unless otherwise agreed on) on the application of either party and for the purpose of any arbitration under the said Act the Saint Olave Board shall be deemed to be a railway company.

For the protection of the parish and vestry of Saint Luke.

53. For the protection of the parish of Saint Luke Middlesex in the administrative county of London (in this section called "the parish") and the vestry thereof (in this section called "the vestry") the following provisions shall have effect unless otherwise agreed in writing by the vestry and the Company (that is to say):—

- (1.) All tunnels arches and other works within the parish 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 streets within the said parish but also any steam roller that the vestry may use for repairing the streets or roadways and the Company

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shall indemnify and make good to the vestry all costs and expenses that the vestry may incur or be put to by reason of any defect or insufficiency in strength in such tunnels arches or works or any neglect to properly and efficiently maintain the same as aforesaid or otherwise by reason of the said railways and works :

(2.) In case any part of any highway street place or pavement in the parish or any sewer drain or other works of any kind belonging to the vestry or under their control shall sink or be in any way injuriously affected at any time by or in consequence of the construction of the railway the vestry may repair such highway place pavement sewer drain or other work and the Company shall on demand pay to the vestry the expense thereof provided that the vestry shall give immediate notice to the Company of the discovery of such injury and of their intention to execute such repairs :

(3.) The Company shall not deposit any subsoil or materials of any kind anywhere within the parish so as to cause any nuisance or obstruction to any persons using the roads or footways within the parish :

(4.) In the construction of so much of the railway as is situate within the parish the Company shall not permit any cart or vehicle employed in removing from or bringing to the railway any soil materials or plant to be loaded or unloaded in such a manner as to obstruct the ordinary traffic and shall not permit any soil or other matter excavated from the railway to be carried through any highway of the parish except in vehicles so constructed as to prevent any such soil or other matter dropping therefrom :

(5.) If any difference arises between the Company and the vestry touching this section or anything to be done or not to be done or any money to be paid thereunder such difference shall be determined by an engineer to be agreed on between the parties or in default of agreement to be appointed on the application of either of them by the Board of Trade and the costs of the arbitration shall be in the discretion of such engineer.

54. Section 27 of the Act of 1890 is hereby repealed and in lieu thereof in the event of the railways being worked by electricity the following provisions shall have effect :—

(1.) The Company shall construct their electric lines and works of all descriptions and shall work their railways in all respects so as to prevent any interference whether by induction or otherwise with the telegraphic lines from time to time laid

For the protection of the Postmaster-General.

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down or used by the Postmaster-General or with telegraphic communication by means of such lines Provided that this section shall not apply to any telegraphic line of the Postmaster-General laid down or placed by him on or along the railway :

- (2.) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (3.) In this section the expression "electric line" has the same meaning as in the Electric Lighting Act 1882 and the expression "telegraphic line" has the same meaning as in the Telegraph Act 1878 :
- (4.) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Company by indictment action or otherwise in relation to any of the matters aforesaid.

For the protection of the City of London Electric Lighting Company Limited.

55. For the protection of the City of London Electric Lighting Company their successors and assigns (in this section referred to as "the lighting company") the following provisions shall have effect (that is to say):—

- (1.) Before commencing any works by this Act authorised in or under any street in or under which any mains pipes wires or other works (herein-after called "apparatus") of the City of London Electric Lighting Company Limited (herein-after referred to as "the lighting company") are situate the Company shall from time to time deliver to the lighting company plans and sections and descriptions of the works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the lighting company at least fourteen days before the commencement of any such work :

If it should appear to the lighting company that such works will interfere with or endanger any of their apparatus or impede the supply of electric energy the lighting company may give notice to the Company to lower or otherwise alter the position of such apparatus or to support the same or to substitute temporarily or otherwise other apparatus in such manner as may be considered necessary and to lay or place under any apparatus cement concrete or other like substances

and any difference as to the necessity of such lowering alteration support substitution laying or placing cement concrete or other like substance shall be settled as herein-after provided and all such works shall be done and executed by and at the expense of the Company but to the satisfaction and under the superintendence of the engineer of the lighting company and the reasonable costs charges and expenses of such superintendence shall be paid by the Company. And if the lighting company by notice in writing to the Company within seven days after the receipt by them of notice of the intended commencement by the Company of any such works so require the lighting company may by their own engineer or workmen do and execute such works so far as they interfere with or affect the apparatus of the lighting company and the Company shall on the completion thereof pay to the lighting company the reasonable expenses incurred by them in the execution thereof to be recovered against the Company in any court of competent jurisdiction :

- (2.) In the event of such plans sections and descriptions so delivered to the lighting company as aforesaid not being objected to within fourteen days the said works shall be executed in strict accordance therewith :
- (3.) The lighting company may if they deem fit employ watchmen or inspectors to watch and inspect the works whereby any apparatus of the lighting company will be interfered with or affected during their construction repair or renewal and the reasonable wages of such watchmen or inspectors shall be borne by the Company and be paid by them to the lighting company to be recovered against the Company in any court of competent jurisdiction :
- (4.) If any interruption in the supply of electric energy by the lighting company shall without the written authority of the lighting company be in any way occasioned by the Company or by the act or acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the lighting company for the use and benefit of the lighting company a sum not exceeding ten pounds for every hour during which such interruption shall continue such sum to be recovered by the lighting company against the Company in any court of competent jurisdiction :
- (5.) The expense of all repairs or renewals of any apparatus of the lighting company or any works in connexion therewith

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which may at any time hereafter be rendered necessary by the acts or defaults of the Company their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of any subsidence resulting from the works of the Company whether during the construction of the railways and works or at any time thereafter shall be borne and paid by the Company and may be recovered against the Company by the lighting company in any court of competent jurisdiction :

(6.) It shall be lawful for the lighting company and the engineers workmen and others in their employ at all times when it may be necessary to enter upon the lands works and premises of the Company at any point or place where there is existing any apparatus of the lighting company and to do all such works in and upon such lands and premises as may be necessary for repairing maintaining or removing or replacing or extending such apparatus under or over the same lands and premises Provided always that in so doing the lighting company their engineers or workmen or others in their employ shall not interrupt the user of any of the works by this Act authorised And provided also that the lighting company shall make good and reimburse to the Company all damages to the works by this Act authorised occasioned by the exercise of the powers by this section reserved the amount of such damages to be recoverable by the Company in any court of competent jurisdiction :

(7.) It shall not be lawful for the Company to lay down any line or rail or to do any act or work for working the railway by electricity whereby any apparatus of the lighting company used for electric lighting purposes or the currents therein is or may be injuriously affected and before any such line or rail is laid down or any such act or work is done within ten feet of any part of any such apparatus of the lighting company (other than repairs or the laying of lines crossing the apparatus of the lighting company at right angles at the point of shortest distance and so continuing for a distance of six feet on each side of such point) the Company or their agents not less than fourteen days before commencing such work shall give written notice to the lighting company specifying the course of the line or rail and the nature of the work including the gauge of any wire or wires intended to be used for electrical energy and the Company and their agents shall conform with such reasonable requirements (either general or special) as may from time to

time be made by the lighting company for the purpose of preventing any such apparatus of the lighting company from being injuriously affected by the said act or work :

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- (8.) If any difference shall arise with respect to any matter under this section between the Company and the lighting company or their respective engineers or concerning any plans sections or descriptions to be delivered to the lighting company under the foregoing provisions of this Act the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the Board of Trade and the costs of such arbitration shall be borne and paid as the arbitrator shall direct.

56. For the protection of the Gas Light and Coke Company (in this section referred to as "the gas company") the following provisions shall have effect (that is to say) :—

For protection of the Gas Light and Coke Company.

- (1.) All works matters or things which under the provisions of the Railways Clauses Consolidation Act 1845 or this Act the Company may be empowered or required to do or execute with reference to the mains pipes syphons or other works of the gas company shall be done and executed by and at the cost of the Company but to the reasonable satisfaction and under the direction of and in such manner as shall be required by the engineer for the time being of the gas company and such works matters or other things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the gas company and the Company shall not lay down any such mains pipes syphons or other works contrary to the regulations of any Act of Parliament relating to the gas company Provided always that if the gas company shall elect themselves to execute any portion of the works matters and things which the Company may by this Act be empowered or required to do or exercise with reference to or affecting the mains pipes syphons apparatus or other works of the gas company and of such their election shall give seven days notice in writing to the Company by leaving the same at their head office the gas company may themselves execute that portion of the said works matters and things and the reasonable expense of and incident to the executing the same shall be repaid by the Company to the gas company on demand and such expense may be recovered from the Company in any court of competent jurisdiction :

- (2.) And whereas there are divers mains pipes syphons and other apparatus belonging to the gas company in divers streets

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highways roads footpaths lanes courts passages and other places within the limits shown on the deposited plans which are now used by the gas company for supplying gas to the streets highways roads footpaths lanes courts passages and other places aforesaid and such streets or other places or some of them will or may be done away with under the powers of this Act Therefore when the Company for any purposes of this Act take any of those mains pipes syphons or other apparatus they shall pay to the gas company the value thereof and the same shall thereupon become the property of the Company and the Company shall also pay to the gas company their reasonable charge of removing or altering any of the mains pipes syphons or other apparatus in immediate communication therewith which the works of the Company shall render useless or which shall require to be altered :

(3.) If any interruption whatever in the supply of gas by the gas company or any loss of gas shall be in any way occasioned or sustained by any act or omission of the Company or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the gas company for such interruption for the use and benefit of the gas company the sum of ten pounds for every hour during which such interruption shall continue :

(4.) It shall be lawful for the gas company and the engineers workmen and others in their respective employ at all times when it may be necessary to enter upon the lands works and premises of the Company at any point or place where there are existing any mains or pipes of the gas company and to do all such works in and upon such lands and premises as may be necessary for repairing maintaining or removing or replacing or extending such apparatus under or over the same lands and premises Provided always that in so doing the gas company their engineers or workmen or others in the employ of the gas company shall not interrupt the user of any of the works by this Act authorised And provided also that the gas company shall make good and reimburse to the Company all damages to the works by this Act authorised occasioned by the exercise of the powers by this section reserved the amount of such damages to be recoverable by the Company in any court of competent jurisdiction :

(5.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the gas company all costs losses damages and expenses which may be

occasioned to the gas company or to any of their mains pipes syphons apparatus property works and conveniences (including any loss of gas or interruption in the supply of gas by the gas company and all injury or loss by explosion or otherwise) through by reason of or consequent on the execution user or failure of any of the intended works or through by reason of or consequent on any act or omission of the Company or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ of their contractors or others or by reason of or consequent on any subsidence caused by the railway of the Company or any works authorised by this Act to be done by the Company and the Company will effectually indemnify and hold harmless the gas company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission or subsidence or matter or thing aforesaid :

- (6.) Before commencing any works by this Act authorised in or under any street in or under which any mains pipes syphons plugs or other works (herein-after called " apparatus ") of the gas company are situate the Company shall from time to time wherever the Company's works are or are intended to be executed within a horizontal distance of five feet of the perpendicular line through a main of the gas company or within a vertical distance of fifteen feet of the horizontal line through a main of the gas company deliver to the gas company plans and sections and a description of the works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the gas company at least fourteen days before the commencement of any such work. If it should appear to the gas company that such works will interfere with or endanger any of their apparatus or impede the supply of gas the gas company may give notice to the Company to alter the position of such apparatus or to support the same or to substitute temporarily or otherwise other apparatus in such manner as may be considered necessary and to lay or place under any apparatus cement concrete or other like substances and any difference as to the necessity of such alteration support substitution laying or placing cement concrete or other like substance shall be settled as herein-after provided and all such works shall be done and executed by and at the expense of the Company but to the satisfaction and under the superintendence of the engineer of the gas company and the

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reasonable costs charges and expenses of such superintendence shall be paid by the Company And if the gas company by notice in writing to the Company within seven days after the receipt by them of notice of the intended commencement by the Company of any such works so require the gas company may by their own engineer or workmen do and execute such works so far as they interfere with or affect the apparatus of the gas company and the Company shall on the completion thereof pay to the gas company the reasonable expenses incurred by them in the execution thereof to be recovered against the Company in any court of competent jurisdiction :

(7.) In the event of such plans sections and descriptions so delivered to the gas company as aforesaid not being objected to within fourteen days the said works shall be executed in strict accordance therewith :

(8.) The gas company may if they deem fit employ watchmen or inspectors to watch and inspect the works whereby any apparatus of the gas company will be interfered with or affected during their construction repair or renewal and the reasonable wages of such watchmen or inspectors shall be borne by the Company and be paid by them to the gas company to be recovered against the Company in any court of competent jurisdiction :

(9.) The fact that any work or thing has been done or executed in accordance with any plan not objected to or approved by the gas company or with any requirement of the gas company or in accordance with any direction or award of an arbitrator shall not excuse the Company from paying or making good to the gas company under this Act any costs losses damages expenses interruption or compensation or from indemnifying the gas company under this Act :

(10.) Any difference arising between the Company and the gas company respecting any of the matters referred to in this enactment and any disagreement within section 19 of the Railways Clauses Consolidation Act 1845 shall be referred to and settled at the request of either party by an engineer to be appointed as arbitrator by the President for the time being of the Institution of Civil Engineers and the costs and expenses attending any such reference shall be borne and paid as the said arbitrator may direct.

For the protection of the New River Company.

57.—(1.) Before commencing any works by this Act authorised in or under any street in or under which any mains pipes syphons or other works (herein-after called " apparatus ") of the New River

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Company (herein-after in this clause referred to as "the protected company") are situate the Company shall in case it is proposed to make such works within a space of five feet horizontally and twenty feet vertically of the protected company's forty-eight inch river main which crosses under the City Road near Duncan Terrace and shall in every other case where it is proposed to make such works within a space of three feet horizontally and six feet vertically of any other of the apparatus of the protected company from time to time deliver to the protected company plans and sections and a description of the works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the protected company at least fourteen days before the commencement of any such work :

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

(2.) In the event of such plans sections and descriptions so delivered to the protected company as aforesaid not being objected to within fourteen days the said works shall be executed in strict accordance therewith :

(3.) The protected company may if they deem fit employ watchmen or inspectors to watch and inspect the works whereby any apparatus

A.D. 1893. of the protected company will be interfered with or affected during their construction repair or renewal and the reasonable wages of such watchmen or inspectors shall be borne by the Company and be paid by them to the protected company to be recovered against the Company in any court of competent jurisdiction :

(4.) If any interruption in the supply of water by the protected company shall without the written authority of the protected company be in any way occasioned by the Company or by the act or acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the protected company for the use and benefit of the protected company a sum not exceeding ten pounds for every hour during which such interruption shall continue such sum to be recovered by the protected company against the Company in any court of competent jurisdiction :

(5.) The expense of all repairs or renewals of any apparatus of the protected company or any works in connexion therewith which may at any time hereafter be rendered necessary by the acts or defaults of the Company their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of any subsidence resulting from the works of the Company whether during the construction of the railways and works or at any time thereafter shall be borne and paid by the Company and may be recovered against the Company by the protected company as the case may be in any court of competent jurisdiction :

(6.) It shall be lawful for the protected company and the engineers workmen and others in their employ at all times when it may be necessary to enter upon the lands works and premises of the Company at any point or place where there are existing any mains or pipes of the protected company and to do all such works in and upon such lands and premises as may be necessary for repairing maintaining or removing or replacing or extending such apparatus under or over the same lands and premises Provided always that in so doing the protected company the engineer or workmen or others in the employ of the protected company shall not interrupt the user of any of the works by this Act authorised And provided also that the protected company shall make good and reimburse to the Company all damages to the works by this Act authorised occasioned by the exercise of the powers by this section reserved the amount of such damages to be recoverable by the Company in any court of competent jurisdiction :

(7.) If any difference shall arise with respect to any matter under this clause between the Company and the protected company or their respective engineers or concerning any plans sections or descriptions to be delivered to the protected company under the foregoing provisions of this Act the matter in difference shall be referred to and settled by an arbitrator to be appointed on the application of either party by the Board of Trade and the costs of such arbitration shall be borne and paid as the arbitrator shall direct. A.D. 1893.

58. The following provisions for the protection of the Governor and Company of the Bank of England (in this section called "the bank") shall unless otherwise agreed between the Company and the bank be observed and have effect (that is to say):— For the protection of the Governor and Company of the Bank of England.

(1.) The expression "bank premises" when used in this section means and includes the bank house offices cellars and premises connected therewith situate in the parishes of St. Christopher le Stocks St. Margaret Lothbury and St. Bartholomew by the Exchange and the houses numbered 1 to 7 inclusive being numbers 1 to 7 Bank Buildings in the parishes of St. Margaret Lothbury aforesaid and St. Olave Jewry and the National Debt Office being number 19 Old Jewry in the parish of St. Olave Jewry aforesaid together with their respective appurtenances and partly delineated on the deposited plans and belonging to or reputed to belong to and occupied by the bank or its tenants :

(2.) The Company their contractors officers or servants shall not for any purpose whatever enter upon take use or interfere with either permanently or temporarily any part of the bank premises :

(3.) The railway shall where it passes the bank premises in Princes Street aforesaid be formed of two iron tubes or tunnels of eleven feet six inches or thereabouts internal diameter and the works shall be carried on by means of a steel shield with a cutting edge to be forced by hydraulic pressure into the clay in advance of the excavation and in such manner as to obviate the risk of movement in the soil over or near to the tunnels and where the railway passes in front of the bank premises as aforesaid it shall be constructed at such depth as that there shall not be less than fourteen feet in thickness of London clay throughout above the crown of the tunnels :

(4.) During the construction of the railway and works no pumping shall be carried on at any point within the limits of deviation nearer than one hundred feet from the bank premises :

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(5.) The bank may from time to time appoint a competent engineer architect or surveyor who may from time to time inspect the works within the said limits during construction and the Company shall give the person so appointed all necessary facilities for such inspection and if he shall be of opinion that the construction of the works or other operations of the Company are attended with danger to the bank premises the Company shall forthwith adopt such additional measures and precautions as may be considered necessary for the purpose of preventing damage or injury to the bank premises and in the event of any difference arising between the bank and the Company with reference thereto such difference shall be referred to an engineer to be appointed by the President of the Institution of Civil Engineers for the time being on the application of either party whose decision shall be final The reasonable costs of inspection incurred by the bank shall be paid by the Company from time to time The costs of such reference and of the award shall be borne as such engineer shall direct :

(6.) The Company shall not underpin or strengthen any part of the bank premises unless the engineer or architect appointed by the bank shall consider such underpinning or strengthening necessary in which event it shall be carried out under his supervision at the Company's cost and risk and the section of this Act of which the marginal note is "Company empowered to underpin or otherwise strengthen houses near railways" shall not extend or apply to the bank premises If any difference shall arise between the Company and such engineer or architect as to the necessity of or the mode of effecting such underpinning or strengthening the same shall from time to time as the case requires be referred to an engineer to be appointed by the President of the Institution of Civil Engineers for the time being on the application of either party whose decision shall be final The costs of such reference and of the award shall be borne as such engineer shall direct :

(7.) The Company shall pay to the bank compensation for all structural damage or injury of every description which may arise to the bank premises by or from the construction or working of the railway and the bank may claim and receive and recover such compensation from the Company notwithstanding that no part of the bank premises is actually taken.

For the protection of

59. The following provisions for the protection of Messrs. Smith Payne and Smiths (in this section called "Messrs. Smith") shall

unless otherwise agreed between the Company and Messrs. Smith be observed and have effect (that is to say):—

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Messrs.
Smith Payne
and Smiths.

(1.) The expression "premises" when used in this section means and includes the bank house offices cellars and premises connected therewith belonging to and occupied by Messrs. Smith being No. 1 Lombard Street situate in the parish of St. Mary Woolchurch and also the houses numbered 2 to 6 inclusive in Lombard Street aforesaid and the Gresham Club-house at the back thereof in the parishes of St. Mary Woolchurch aforesaid and St. Mary Woolnoth with their respective appurtenances and all which are partly delineated on the deposited plans and belong to or are reputed to belong to Messrs. Smith and are occupied by themselves or their tenants:

(2.) The Company their contractors officers or servants shall not for any purpose whatever enter upon take use or interfere with either permanently or temporarily any part of the premises:

(3.) The railway shall where it passes the premises be formed of two iron tubes or tunnels of eleven feet six inches or thereabouts internal diameter and the works shall be carried on by means of a steel shield with a cutting edge to be forced by hydraulic pressure into the clay in advance of the excavation and in such manner as to obviate the risk of movement in the soil over or near to the tunnels and where the railway passes in front of the premises as aforesaid it shall be constructed at such depth as that there shall not be less than fourteen feet in thickness of London clay throughout above the crown of the tunnels:

(4.) During the construction of the railway and works no pumping shall be carried on at any point within the limits of deviation nearer than one hundred feet from the premises:

(5.) Messrs. Smith may from time to time appoint a competent engineer architect or surveyor who may from time to time inspect the works within the said limits during construction and the Company shall give the person so appointed all necessary facilities for such inspection and if he shall be of opinion that the construction of the works or other operations of the Company are attended with danger to the premises the Company shall forthwith adopt such additional measures and precautions as may be considered necessary for the purpose of preventing damage or injury to the premises and in the event of any difference arising between Messrs. Smith and the Company with reference thereto such difference shall be referred to an engineer to be appointed by the President of the

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Institution of Civil Engineers for the time being on the application of either party whose decision shall be final. The reasonable costs of inspection incurred by Messrs. Smith shall be paid by the Company from time to time. The costs of such reference and of the award shall be borne as such engineer shall direct :

(6.) The Company shall not underpin or strengthen any part of the premises unless the engineer or architect appointed by Messrs. Smith shall consider such underpinning or strengthening necessary in which event it shall be carried out under his supervision at the Company's cost and risk and the section of this Act of which the marginal note is "Company empowered " to underpin or otherwise strengthen houses near railways " shall not extend or apply to the premises. If any difference shall arise between the Company and such engineer or architect as to the necessity of or the mode of effecting such underpinning or strengthening the same shall from time to time as the case requires be referred to an engineer to be appointed by the President of the Institution of Civil Engineers for the time being on the application of either party whose decision shall be final. The costs of such reference and of the award shall be borne as such engineer shall direct :

(7.) The Company shall pay to Messrs. Smith compensation for all structural damage or injury of every description which may arise to the premises by or from the construction or working of the railway and Messrs. Smith may claim and receive and recover such compensation from the Company notwithstanding that no part of the premises is actually taken.

For the protection of the Union Bank of London.

60. The following provisions for the protection of the Union Bank of London Limited (in this section called "the bank") shall unless otherwise agreed between the Company and the bank be observed and have effect (that is to say) :—

(1.) The expression "bank premises" when used in this section means and includes the bank house offices cellars and premises connected therewith situate in the parishes of St. Mildred and St. Mary Woolchurch and partly delineated on the deposited plans and belonging to or reputed to belong to and occupied by the bank :

(2.) The Company their contractors officers or servants shall not for any purpose whatever enter upon take use or interfere with either permanently or temporarily any part of the bank premises :

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- (3.) The railway shall where it passes the bank premises in Princes Street aforesaid be formed of two iron tubes or tunnels of eleven feet six inches or thereabouts internal diameter and the works shall be carried on by means of a steel shield with a cutting edge to be forced by hydraulic pressure into the clay in advance of the excavation and in such manner as to obviate the risk of movement in the soil over or near to the tunnels and where the railway passes in front of the bank premises as aforesaid it shall be constructed at such depth as that there shall not be less than ten feet in thickness of London clay throughout above the crown of the tunnels :
- (4.) During the construction of the railway and works no pumping shall be carried on at any point within the limits of deviation nearer than one hundred feet from the bank premises :
- (5.) The bank may from time to time appoint a competent engineer architect or surveyor who may from time to time inspect the works within the said limits during construction and the Company shall give the person so appointed all necessary facilities for such inspection and if he shall be of opinion that the construction of the works or other operations of the Company are attended with danger to the bank premises the Company shall forthwith adopt such additional measures and precautions as may be considered necessary for the purpose of preventing damage or injury to the bank premises and in the event of any difference arising between the bank and the Company with reference thereto such difference shall be referred to an engineer to be appointed by the Board of Trade on the application of either party whose decision shall be final The reasonable costs of inspection incurred by the bank shall be paid by the Company from time to time The costs of such reference and of the award shall be borne as such engineer shall direct :
- (6.) The Company shall not underpin or strengthen any part of the bank premises unless the engineer or architect appointed by the bank shall consider such underpinning or strengthening necessary in which event it shall be carried out under his supervision at the Company's cost and risk If any difference shall arise between the Company and such engineer or architect as to the necessity of or the mode of effecting such underpinning or strengthening the same shall from time to time as the case requires be referred to an engineer to be appointed by the Board of Trade on the application of either party whose

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decision shall be final. The costs of such reference and of the award shall be borne as such engineer shall direct:

(7.) The Company shall pay to the bank compensation for all structural damage or injury of every description which may arise to the bank premises by or from the construction or working of the railway and the bank may claim and receive and recover such compensation from the Company notwithstanding that no part of the bank premises is actually taken.

For the protection of the North Metropolitan Tramways Company.

61. The following provisions for the protection of the North Metropolitan Tramways Company (herein-after called "the tramways company") shall unless otherwise agreed between the tramways company and the Company be observed and have effect (that is to say):—

(1.) Notwithstanding anything contained in this Act the Company shall not in the execution of the works by this Act authorised interfere with interrupt or obstruct the works or traffic of the tramways company:

(2.) If by reason of the execution maintenance or repair or failure of the works authorised by this Act the said tramways or any of the works connected therewith shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do the tramways company may make good the same and recover the costs thereof against the Company in any court of competent jurisdiction:

(3.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the tramways company all costs losses damages and expenses which may be occasioned to the said tramways belonging to the tramways company or to any of the works or property thereof or to any person or persons using the same or otherwise by reason of the execution maintenance or repair or failure of the works by this Act authorised or by reason of any obstruction of the traffic of the tramways company or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company shall effectually indemnify and hold harmless the tramways company from all claims and demands upon or against them by reason of such execution maintenance or repair or failure or of any such omission.

For the protection of the North Metropolitan

62. Whereas the railway is intended to pass under the Regent's Canal at a point marked as City Road on the deposited plans in the parish of St. Luke Old Street in the county of London Therefore the

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following provisions shall apply unless otherwise agreed between the Company and the North Metropolitan Railway and Canal Company (herein-after called "the canal company") :—

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Railway and
Canal Com
pany.

(1.) Nothing in this Act shall except as herein-after expressed authorise or empower the Company to alter the line or level of the said canal or of the towing-path thereof or of the railway authorised to be constructed by the Regent's Canal City and Docks Railway Act 1882 (and herein-after called "the authorised railway") or of any part or parts thereof respectively or to obstruct or impede the navigation of the said canal or any part thereof or to divert intercept cut off take use or diminish any of the waters in the canal or which may be taken for the use of or which supply the canal or to injure or alter or interfere with the said authorised railway or any of the works of the canal and it shall not be lawful for the Company in passing under the said canal to diminish or alter the width or depth of the waterway of the said canal or the width of the towing-path thereof or of the said railway or to take or use for the purposes of the said railway any part of the said canal or of the locks wharves side ponds lay-byes towing-path bridges banks or other works belonging to the said canal or any part thereof or any land belonging to or in which the canal company is interested (except an easement for the purpose of constructing and maintaining the railways and works of the Company) or any water of the said canal without the previous consent of the canal company under their common seal first had and obtained and nothing herein contained shall compel the canal company to convey or assign to the Company the fee simple of any land belonging to them under which the said railway and the works connected therewith are intended to pass but the same shall remain vested in the canal company subject nevertheless to the right of the Company and their successors for ever hereafter to have use and possess such way and passages for the said railway and works by means of tunnels under the said canal as described in the said plans and sections together with all rights and easements necessary to their due use and enjoyment of the same :

(2.) For the purpose of carrying the railway hereby authorised to be made under the said canal and the towing-path bridge and other works thereto the two tunnels shall be formed of steel iron or other suitable material and are to be made and for ever thereafter maintained and kept in good substantial and water-tight repair and condition by the Company and all the works for the formation of the said tunnels and for all repairs

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and renewals thereof or for any temporary works that may be required from time to time shall be constructed and made and formed according to plans and specifications to be submitted to and approved of by the engineer for the time being of the canal company previously to the commencement of the works and shall be commenced carried on and completed under the superintendence and to the reasonable satisfaction of such engineer and so that no obstruction or interruption shall be caused to the boats or barges passing along the said canal or to the horses towing the same And in case during the progress of any such works any damage shall be occasioned to the said canal or the towing-path bridge or other works of the canal by the Company the Company shall under such superintendence and to such reasonable satisfaction as aforesaid restore the same to the same state and condition as before the happening of any such damage and if the works connected with the said tunnels or any part thereof shall be imperfectly constructed or if at any time or times hereafter the said tunnels or any part thereof shall be out of repair or any loss of water or any obstruction or interruption to the navigation of the said canal shall occur through the Company's negligence or default and notice thereof in writing shall be given by any agent of the canal company to the Company or their secretary or other officer and in case the Company shall not for the space of fourteen days after such notice shall have been given or forthwith thereafter if the nature of the case shall require it sufficiently and effectually amend such construction or repair such tunnels or works or make good and prevent such loss of water or remove such obstruction or interruption as the case may be under such superintendence and to such reasonable satisfaction as aforesaid and complete the same with all reasonable expedition it shall be lawful for the canal company from time to time to make good such construction and perform such repairs to make good and prevent such loss of water or to remove such obstruction or interruption as aforesaid as the case may require and the Company shall and they are hereby required from time to time to pay to the canal company or to their secretary for the time being within fourteen days after demand all the costs and expenses which may be incurred by them in that behalf and shall also pay to the said engineer his reasonable charges for his services and supervision in connexion with and incidental to the carrying out of any of the works that the Company are authorised or are under obligation to carry out by this section :

(3.) Each of the said tunnels under the canal and all the works connected therewith shall be completed within the period of six months from the day on which the same shall be commenced and in case it shall happen that the said tunnels and works shall not be completed within such period as aforesaid the Company shall forfeit and pay to the canal company as and for liquidated damages after that period the sum of twenty pounds for every day until the said tunnel and works shall be completed and if in the execution of any of the works by this Act authorised to be made or if by reason or in consequence of any act neglect or omission of the Company or of their agents servants or workmen or if or by reason or in consequence of the said works when made the water of the Regent's Canal shall leak escape or run to waste from the said canal the Company shall forfeit and pay to the canal company the sum of ten pounds as and for liquidated damages for every reasonably estimated nine thousand cubic feet of water which shall have so leaked escaped or run to waste and in the same proportion for any greater or less quantity and if by reason of any of the circumstances or causes aforesaid it shall happen that the navigation of the said Regent's Canal or the passage along the towing-path thereof shall be so obstructed or interrupted as that boats or other vessels navigating the said canal or the horses drawing the same shall be impeded in their passage or shall not be able to pass along the said canal and towing-path or either of them then and in any and every such case the Company shall pay to the canal company the sum of twenty pounds as and for liquidated damages for every hour during which any and every such obstruction or interruption shall continue Provided always that if any such obstruction or interruption shall continue for the space of more than seventy-two consecutive hours or shall be caused by any wilful act neglect or omission on the part of the Company or any of their agents servants or workmen then and in every such case the Company shall pay to the canal company the sum of fifty pounds as and for liquidated damages for every hour after the said seventy-two hours during which such obstruction or interruption shall continue Provided always that if any difference of opinion shall occur between the canal company and the Company or between their respective engineers concerning the effect of the said works with relation to the Regent's Canal or concerning any supposed leakage occasioned thereby or the extent of such leakage the same shall be referred to arbitration in the manner

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prescribed by the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration :

(4.) Nothing in this Act contained shall except as before mentioned prevent the canal company from at any time making constructing or carrying out any of the powers and works authorised by the Regent's Canal City and Docks Railway Act 1882 or any Act or Acts of Parliament now passed amending or varying the same and nothing in this Act shall entitle the Company to any compensation for any damage or otherwise howsoever which they may sustain by reason of the canal company carrying such powers into effect :

(5.) Nothing in this Act contained shall extend to prevent the canal company or any owner of boats or barges or horses or any other and every other person whomsoever from recovering from the Company in addition to the said liquidated damages the amount of any special damage that may be sustained by them or him or that they may be liable to pay for or on account or by reason or in consequence of the acts neglects or defaults of the Company or of their servants or by reason of or by the flowing or escape of the water out of the said canal if the same shall be caused or happen by reason of the making or maintaining or repairing of the said railway or the said tunnels and other works connected therewith beyond the amount of such liquidated damages as aforesaid and the canal company and any such owner trader or other person are and is hereby authorised to sue for such special damage in any court of competent jurisdiction.

For the pro-
tection of the
South
Eastern
Railway
Company.

63. Whereas it is intended that the railway by this Act authorised shall be carried by a subway under the railways of the South Eastern Railway Company (herein-after called "the South Eastern Company") where the same are carried by a bridge over High Street Borough in the county of London and the railways of the South Eastern Company will or may be interfered with and it is necessary for the proper protection thereof that the following provisions shall have effect Be it enacted therefore as follows (that is to say) :—

(A.) The Company shall twenty-eight days before they take use enter upon interfere with or affect either temporarily or permanently any part of the subsoil beneath the railways of the South Eastern Company (in which expression is included any authorised widenings of such railways) and any works conveniences and property of the South Eastern Company or

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within two hundred feet thereof for the purpose of constructing or commencing the construction of that part of the railway subway which shall or may pass under the said railways respectively and for a distance of two hundred lineal feet on each side of the said railways and also that part of the proposed footpath subway lying within the same distance of the said railways furnish to the South Eastern Company proper and sufficient plans sections and specifications of the works proposed to be made by the Company under the said railways respectively and for a distance of two hundred lineal feet on each side thereof and such plans sections and specifications shall be settled and agreed upon between the respective engineers of the Company and the South Eastern Company or in case of their failing to agree or of any difference arising between them the same shall be settled and determined by an engineer to be on the application of the two Companies or either of them appointed by the Board of Trade and such works shall be carried into effect only in accordance with such determination and agreement and under the superintendence and to the reasonable satisfaction of the principal engineer for the time being of the South Eastern Company and at the costs charges and expenses in all respects of the Company :

(B.) The Company shall at all times maintain the works by which such railway and footpath subways shall be carried under the said railways respectively or within two hundred feet thereof and the works lands and conveniences connected therewith in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer of the South Eastern Company and if and whenever the Company fail so to do the South Eastern Company may make and do in and upon as well the lands of the Company as their own lands all such works and things as the South Eastern Company may reasonably think requisite and the sum from time to time certified by such engineer to be the reasonable amount of their expenditure in that behalf shall be repaid to them by the Company and in default of repayment the amount due may be recovered with full costs by the South Eastern Company from the Company in any court of competent jurisdiction :

(C.) The Company shall not without in every case the previous consent of the South Eastern Company in writing under their common seal take use enter upon or interfere with any of the lands or property from time to time belonging to or in the possession or under the power of the South Eastern Company or which they have power to take or to construct works upon

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or to vary alter or interfere with the said railways or any of the works or conveniences connected therewith except so far as shall be necessary for the Company to take use enter upon or interfere with for the purpose of making and maintaining the railway and footpath subways by this Act authorised to be constructed under or adjoining the said railways works and conveniences for the time being belonging to the South Eastern Company :

- (D.) No lands or property which belong to the South Eastern Company or which the South Eastern Company is authorised to take or use shall be entered upon or interfered with by the Company nor shall the Company do anything to impede obstruct or endanger the construction of the authorised works of the South Eastern Company :
- (E.) If during the execution of the works of the said railway and footpath subways or either of them or of any of the works connected therewith the railways or works of the South Eastern Company shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do the South Eastern Company may make good the same and recover the costs thereof against the Company in any court of competent jurisdiction :
- (F.) The Company shall not in making and maintaining the said railway and footpath subways and works by this Act authorised in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the railways respectively or any traffic thereon and if at any time or times hereafter the free and uninterrupted and safe user of the said railways respectively or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the Company shall forfeit and pay to the South Eastern Company for each such obstruction fifty pounds per hour by way of ascertained damages for every hour during which each such obstruction hindrance or interference shall continue :
- (G.) During the construction of the railway and footpath subways and works hereby authorised under and adjacent to the said railways respectively the Company shall bear and on demand shall pay to the South Eastern Company the expense of the employment by them of a sufficient number of inspectors or watchmen to be appointed by them for watching their respective railways and the works and conveniences connected therewith with reference to and during the execution of the intended

works and for preventing as far as may be all interference
obstruction danger and accident to arise from any of the
operations of the Company or from the acts or defaults of the
contractors or of any person or persons in their employ or
otherwise : A.D. 1893.

(H.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the South Eastern Company all costs losses damages and expenses which may be occasioned to the railways respectively of that company or to any of the works or property thereof or to the traffic thereon or to any person or persons using the same or otherwise by reason of the construction or failure of the railway or footpath subways and works by this Act authorised and the works in connexion therewith or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company shall effectually indemnify and hold harmless the South Eastern Company from all claims and demands upon or against them by reason of such execution or failure and of any such omission :

(I.) Notwithstanding anything in this Act contained the Company shall not make or maintain any temporary or other shafts or openings from the surface of any land belonging to the South Eastern Company or from any approach road to the London Bridge Railway Station nor from any part of High Street Borough aforesaid between the southern end of London Bridge and the southern approach from High Street Borough to the said station.

64. For the protection of the Central London Railway Company (in this Act called "the central company") the following provisions shall unless otherwise agreed between the Company and the central company be observed and have effect (that is to say) :— For the protection of the Central London Railway Company.

(A.) The Company shall carry out their works so as not to involve any alteration at the point where the railway by this Act authorised will cross the railways authorised by the Central London Railway Acts 1891 and 1892 of the levels of or interference with the works of the central company as shown on the deposited plans and sections referred to in the Central London Railway Acts 1891 and 1892 :

(B.) The Company shall fourteen days before they commence the construction of that part of the railway and works by this Act authorised which shall or may pass under or over the railway of the central company and for a distance of

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one hundred lineal feet on each side thereof furnish to the central company proper and sufficient plans sections and specifications of the works proposed to be made by the Company under or over the said railway of the central company and also for the distance above mentioned and such plans sections and specifications shall be settled and agreed upon between the respective engineers of the Company and the central company or in case of their failing to agree or of any difference arising between them the same shall be settled and determined by an engineer to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and such works shall be carried into effect only in accordance with such determination and agreement and under the superintendence and to the reasonable satisfaction of the engineer of the central company and at the costs charges and expenses in all respects of the Company :

(c.) The Company shall construct and at all times maintain the works by which the railway and works by this Act authorised shall be carried under or over the Central London Railway and the works and conveniences connected therewith and also for the distance before mentioned in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer of the central company and so as to leave undisturbed at all times the railway and other works connected therewith of the central company and if and whenever the Company fail so to do the central company may make and do in and upon as well the railway and works of the Company as their own railways and works all such works and things as the central company may reasonably think requisite to put the Company's railway and works in substantial repair and good order and condition and the sum from time to time certified by such engineer to be the reasonable amount of their expenditure in that behalf shall be repaid to them by the Company and in default of full repayment the amount due may be recovered with full costs by the central company from the Company in any court of competent jurisdiction :

(d.) If during the execution of the works the Central London Railway or any of the works connected therewith respectively or any property of the central company shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their

failing so to do the central company may make good the same and recover the amount expended in so doing with full costs from the Company in any court of competent jurisdiction: A.D. 1893.

(E.) The Company shall not in making and maintaining the railway and works by this Act authorised in any manner obstruct hinder or interfere with the free uninterrupted and safe user of the Central London Railway or any traffic thereon and if at any time or times hereafter the free and uninterrupted and safe user of the said railway or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the Company shall forfeit and pay to the central company for each such obstruction fifty pounds per hour by way of ascertained damages for every hour during which each such obstruction hindrance or interference shall continue:

(F.) During the construction of the railway and works by this Act authorised under or over and adjacent to the said Central London Railway the Company shall bear and on demand pay to the central company the expense of the employment by them of a sufficient number of inspectors and watchmen to be appointed by them for watching the Central London Railway and the works and conveniences connected therewith with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident to arise from any of the operations of the Company or from the acts or defaults of their contractors or of any person or persons in their employ or otherwise:

(G.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the central company all costs charges losses damages and expenses which may be occasioned to the Central London Railway or to any of the works or property of the central company or to any person or persons using the said railway works or property by reason of the construction or failure of the railway works by this Act authorised and the works in connexion therewith or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company shall effectually indemnify and hold harmless the central company from all claims and demands upon or against them by reason of such execution or failure or of any such omission.

65. The Company shall not without the consent in writing of the central company and the Commissioners interfere with or prejudicially affect in any manner the central station booking office

Mansion
House
Station of
central

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company
not to be
interfered
with.

and public subways and works at the Mansion House referred to in the Central London Railway Act 1892 Provided that if the Company shall desire to have access by means of a subway from their station in the vicinity of the Mansion House to the system of public subways at the Mansion House to be constructed by the central company under the Central London Railway Act 1892 they shall be entitled to make such access upon obtaining the written approval of the Commissioners and after paying to the central company such contribution towards the cost of constructing and maintaining such system of public subways as in default of agreement shall be determined by an arbitrator to be appointed in default of agreement by the Commissioners on the application of the Company or the central company.

For the pro-
tection of the
Metropolitan
Railway
Company.

66. For the protection of the Metropolitan Railway Company (in this section called "the Metropolitan Company") the following provisions shall unless otherwise agreed between the Metropolitan Company and the Company be observed and have effect (that is to say) :—

- (1.) Notwithstanding anything shown upon the deposited plans and sections or contained in this Act the Company shall not purchase take enter upon use or interfere with either permanently or temporarily the railway of the Metropolitan Company or any of the lands works or property now or hereafter vested in the Metropolitan Company without the consent in writing of the Metropolitan Company under their common seal Provided that nothing in this sub-section contained shall be deemed to prohibit the Company from carrying out the railways and other works by this Act authorised in accordance with the provisions of this section :
- (2.) The Company shall twenty-eight days before they commence the construction of that part of the railway which shall or may pass under the Metropolitan Railway at Moorgate Street and for a distance of two hundred lineal feet on each side thereof furnish to the Metropolitan Company proper and sufficient plans sections and specifications of the works proposed to be made by the Company under the Metropolitan Railway and for a distance of two hundred lineal feet on each side thereof and such plans sections and specifications shall be settled and agreed upon between the respective engineers of the Company and the Metropolitan Company or in case of their failing to agree or of any difference arising between them the same shall be settled and determined by a civil engineer to be on the application of

the Companies or either of them appointed by the President for the time being of the Institution of Civil Engineers and such works shall be carried into effect only in accordance with such agreement or determination and under the superintendence and to the reasonable satisfaction of the engineer for the time being of the Metropolitan Company and at the costs charges and expenses in all respects of the Company Provided that the Company shall in no case in the execution of the said works under the Metropolitan Railway at Moorgate Street deviate upwards more than ten feet from the levels thereof as shown on the deposited sections for a distance of two hundred lineal feet on each side of the said railway And that where the said works shall or may pass under the Metropolitan Railway the nearest point thereof shall be constructed at a depth of not less than thirty-six feet below the level of the rails of the Metropolitan Railway except with the consent of the engineer of the Metropolitan Company :

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(3.) The Company shall at all times maintain the works by which the railway shall be carried under the Metropolitan Railway and the works and conveniences connected therewith in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer of the Metropolitan Company and if and whenever the Company fail so to do the Metropolitan Company may make and do in and upon as well the lands of the Company as their own lands all such works and things as the Metropolitan Company may reasonably think requisite and the sum from time to time certified by such engineer to be the reasonable amount of their expenditure in that behalf shall be repaid to them by the Company and in default of full repayment the amount due may be recovered with full costs by the Metropolitan Company from the Company in any court of competent jurisdiction The engineer of the Metropolitan Company and his duly authorised assistants shall at all reasonable times have free access to the railway where it passes under the Metropolitan Railway and for a distance of two hundred lineal feet on each side thereof and every facility shall be afforded them for the inspection thereof and every reasonable notice which they may give touching any defect or want of repair shall immediately or as soon as possible be complied with by the Company :

(4.) The Company shall execute such reasonable protective works within the powers of the Company as the engineer of the Metropolitan Company shall deem necessary for insuring

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the safety of the Metropolitan Railway works and buildings and any difference as to the requirements of the engineer of the Metropolitan Company or the mode of executing the works in pursuance thereof shall be referred from time to time to arbitration as herein-before provided :

(5.) If during and by the execution of the works the Metropolitan Railway or any of the works or conveniences connected therewith shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failing so to do the Metropolitan Company may make good the same and recover the costs thereof against the Company in any court of competent jurisdiction :

(6.) The Company shall not in making and maintaining and working or using the railways and works by this Act authorised in any manner obstruct hinder or interfere with the free or uninterrupted and safe user of the Metropolitan Railway or any traffic thereon and if at any time or times hereafter the free and uninterrupted and safe user of the Metropolitan Railway or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the Company shall forfeit and pay to the Metropolitan Company for each such obstruction one hundred pounds per hour by way of ascertained damages for every hour during which each such obstruction hindrance or interference shall continue :

(7.) The Company during the construction renewal or repair of the railway and works by this Act authorised under and within two hundred lineal feet of the Metropolitan Railway shall bear and on demand shall pay to the Metropolitan Company the expense of the employment by them of a sufficient number of inspectors or watchmen to be appointed by them for watching the Metropolitan Railway and the works and conveniences connected therewith with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident likely to arise from any of the operations of the Company or from the acts or defaults of the contractors or of any person or persons in their employ or otherwise :

(8.) In the event of the Metropolitan Company desiring to reasonably alter or repair their railway or any of the works or buildings connected therewith the Company shall give to the Metropolitan Company every reasonable facility for the execution of such alteration or reparation and shall pay any

extra cost which may be occasioned to the Metropolitan Company in consequence of the construction of the works or the exercise of the powers by this Act authorised: A.D. 1893.

(9.) No electricity shall be generated in or under any portion of the Metropolitan Railway or in or under any land or works of the Metropolitan Company:

(10.) Notwithstanding anything in this Act (including this section) contained the Company shall be responsible for and make good to the Metropolitan Company all costs losses damages and expenses which may be occasioned to the Metropolitan Railway or to any of the works lands or property thereof or to the traffic thereon or to any person or persons using the same or otherwise by reason of the construction maintenance failure working or user of the railways and other works by this Act authorised and the works in connexion therewith or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company shall effectually indemnify and hold harmless the Metropolitan Company from all claims and demands upon or against them by reason of such construction failure working or user and of any such act or omission. Provided that nothing herein shall render the Company liable to make compensation by reason of abstraction of traffic or competition in consequence of the opening of the railway.

67. For the protection of the Metropolitan Railway Company and the Metropolitan District Railway Company (herein-after called "the two companies") the following provisions shall unless otherwise agreed between the Company and the two companies be observed and have effect (that is to say):—

For the protection of the Metropolitan and Metropolitan District Railway Companies.

(1.) The Company shall not without the previous consent in writing of the two companies enter upon take or use either temporarily or permanently the railway or property of the two companies (herein-after called "the City Lines Railway") but this provision shall not be deemed to prohibit the Company from constructing the railways by this Act authorised subject to and in accordance with the provisions of this section. The Company shall not without the previous consent in writing of the two companies alter vary or in any way interfere with the City Lines Railway or any of the works connected therewith:

The Company shall not without the consent in writing of the two companies under their common seals construct the subway for foot passengers commencing in the parish of St. Margaret in the city of London in and under Arthur Street:

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- (2.) Before the Company commences any works or any alteration or repairs thereof under the City Lines Railway works or buildings or within thirty yards thereof they shall give to the two companies one month's notice in writing of their intention so to do accompanied by full and detailed plans sections and specifications of the works so to be executed and the proposed mode of executing the same and no such work shall be commenced until the two companies shall have signified their approval in writing of such plans sections and specifications and the two companies shall within twenty-one days from such notices signify their approval or disapproval in writing but if they disapprove of such plans sections and specifications or the mode of executing the work the reasonableness of such disapproval shall be referred from time to time to the determination of an arbitrator as herein-after provided and if he shall decide that the disapproval is reasonable then he shall determine the mode of executing the works :
- (3.) In passing under the City Lines Railway and the abutments and works connected therewith the Company shall not without the consent in writing of the two companies vary the centre line of the railway shown on the deposited plans and the railway shall be so constructed that no portion thereof shall without the like consent be constructed at a higher level than five feet above that shown on the deposited sections :
- (4.) The Company shall if required by the two companies execute such protective works and take such other precautions within the powers of the Company as the engineer of the two companies shall deem necessary for insuring the safety of the City Lines Railway works and buildings and the works when commenced shall be proceeded with without cessation and any difference as to the requirements of the engineers of the two companies or the mode of executing the works in pursuance thereof shall be referred from time to time to arbitration as herein-after provided :
- (5.) Prior to commencing any part of the works situated under or within fifty yards of the City Lines Railway the Company shall make one or more trial borings as may be necessary within fifty yards of the City Lines Railway for the purpose of ascertaining the nature of the soil through which the tunnels are to be constructed and shall afford the engineers of the two companies reasonable access thereto and if the engineers of the two companies shall so require the whole or any part of

the railway under or within one hundred yards of the City Lines Railway shall be constructed under compressed air :

- (6.) The railway where the same passes under or within fifty yards on either side of the City Lines Railway shall be formed of two longitudinal iron cylinders to be laid at equal distances from the centre line of the railway and not approaching nearer to each other than a distance of four feet measured from the external line of the workings of each tunnel and such cylinders shall not be more than thirteen feet in external diameter :
- (7.) On no account and under no pretext whatsoever shall the soil under the railway works and buildings of the two companies or any part thereof or any of the foundations or any of the structure of the same be disturbed either during the construction of the works or for the purpose of any repairs thereto nor shall any of the soil beneath the same nor any of the foundations thereof other than actually required in the judgment of the engineers of the two companies to be removed in order to make way for the cylinders be taken away or disturbed either during the construction of the railway or at any time after its completion for any purpose whatsoever without the previous consent in writing of the two companies :
- (8.) The engineers of the two companies shall be at liberty at any time if in their opinion after inspection it shall be necessary for the security of the City Lines Railway works and buildings so to do to stop the construction of so much of the railway and subway as shall be situate under the same pending the decision of an arbitrator to be appointed as herein-after mentioned :
- (9.) In the event of any such stoppage as aforesaid and the confirmation thereof by such arbitrator the future construction of the railway so far as it affects the City Lines Railway works and buildings shall be carried out in accordance in all respects with the directions of such arbitrator :
- (10.) The two companies shall be entitled at the expense of the Company to supervise the mode in which the works described in the plans submitted by the Company are carried out and for this purpose to appoint such engineers inspectors and watchmen as may be reasonably necessary for the purpose :
- (11.) The Company shall at all times maintain the works by which the railway shall be carried under the City Lines Railway and the works and conveniences connected therewith in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineers of the two companies and if and whenever the Company fail so to do the

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two companies may make and do in and upon as well the lands of the Company as their own lands all such works and things as the two companies may reasonably think requisite and the sum from time to time certified by such engineers to be the reasonable amount of their expenditure in that behalf shall be repaid to them by the Company and in default of full repayment the amount due may be recovered with full costs by the two companies from the Company in any court of competent jurisdiction. The engineers of the two companies and those authorised by them shall at all reasonable times have free access to the railway and every facility shall be afforded them for the inspection thereof and every reasonable notice which they may give touching any defect or want of repair shall immediately or as soon as possible be complied with by the Company :

(12.) If during the execution of the works the City Lines Railway or any of the works or conveniences connected therewith shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their own expense or in the event of their failure so to do the two companies may make good the same and recover the costs thereof against the Company in any court of competent jurisdiction :

(13.) The Company shall not in making and maintaining working or using the railways and works by this Act authorised in any manner obstruct hinder or interfere with the free uninterrupted and safe user and working of the City Lines Railway or any traffic thereon and if at any time or times hereafter the free uninterrupted and safe user and working of the City Lines Railway or any traffic thereon shall be obstructed hindered or interfered with contrary to this enactment the Company shall forfeit and pay to the two companies for each such obstruction one hundred pounds per hour by way of ascertained damages for every hour during which each such obstruction hindrance or interference shall continue :

(14.) During the construction of the railway and works by this Act authorised under and adjacent to the City Lines Railway the Company shall bear and on demand shall pay to the two companies the expense of the employment by them of a sufficient number of inspectors or watchmen to be appointed by them for watching the City Lines Railway and the works and conveniences connected therewith with reference to and during the execution of the intended works and for preventing as far as may be all interference obstruction danger and accident likely to arise from any of the operations of the

Company or from the acts or defaults of the contractors or of any person or persons in their employ or otherwise : A.D. 1893.

(15.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the two companies all costs losses damages and expenses which may be occasioned to the City Lines Railway or to any of the works lands or property thereof or to the traffic thereon or to any person or persons using the same or otherwise by reason of the construction or failure of the railways and other works by this Act authorised and the works in connexion therewith or of any act or omission of the Company or of any of the persons in their employ or of their contractors or others and the Company shall effectually indemnify and hold harmless the two companies from all lawful claims and demands upon or against them by reason of such execution or failure and of any such omission Provided that nothing herein shall render the Company liable to make compensation by reason of abstraction of traffic or competition :

(16.) All fees costs charges and expenses in respect of any of the matters in this section contained other than matters which become the subject of arbitration under the provision next herein-after contained shall be borne and paid by the Company and all fees costs charges and expenses incurred by the two companies or the Company which shall become the subject of arbitration including the costs of the arbitration shall be in the discretion of the arbitrator :

(17.) Any difference which may arise under the provisions of this section between the two companies and the Company shall be from time to time referred to and determined by an engineer to be agreed upon between the Company and the two companies or failing such agreement by an engineer to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers whose decision shall be final upon the matters so referred :

(18.) The fact that any work or thing has been done or executed in accordance with any plan not objected to or which may have been approved by the two companies or with any requirement of the two companies or under the superintendence of the two companies engineers or in accordance with any direction or award of an arbitrator shall not exonerate the Company from any liability for damage caused to the City Lines Railway works and buildings or affect any claim by the two companies

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for injury caused to the City Lines Railway works and buildings.

For the protection of the Orphan Working School and Mrs. and Colonel Twyford.

68. For the protection of the President Vice-Presidents Treasurer and Governors of the Orphan Working School their successors and assigns (all of whom are in this section included in the expression "the owners") and of their lessees Dora Twyford widow and Colonel Henry Robert Twyford their executors administrators and assigns (all of whom are in this section included in the expression "the lessees") the following provisions shall have effect (that is to say):—

(1.) No electricity or electric power shall be generated or stored upon in or under any part of the lands and buildings numbered on the deposited plans 84 85 86 87 89 90 and 91 in the parish of St. Luke Old Street or within a distance of one hundred yards therefrom Provided that this sub-section shall not prevent the storage of electricity in the conductor laid along the railway :

(2.) The owners and the lessees respectively shall whether any lands buildings or hereditaments of the owners or of the lessees shall be actually taken by the Company or not be entitled to claim from the Company and the Company shall be liable to pay to them respectively compensation for all structural damage which may be caused to any lands buildings or hereditaments belonging to them respectively situate upon the piece of land bounded by the City Road Moreland Street and Pickard Street by or from the construction or working of the railway.

For the protection of Marcus Hardy Voss.

69. The Company shall at all times hereafter during the continuance of the now existing lease under which Marcus Hardy Voss is lessee of Fenning's Wharf at their own cost indemnify the said Marcus Hardy Voss his executors administrators and assigns against all loss or damage which they or any or either of them may at any time hereafter sustain or be put to for or by reason or in consequence or otherwise arising out of any damage or injury which either during the construction of the railway or at any time after its completion the said Marcus Hardy Voss or his executors administrators or assigns as the case may be shall show to have happened or been occasioned to the aforesaid wharf and property by reason or in consequence of the construction repair want of repair or use of the railway or in any way connected therewith.

Powers for compulsory purchase of lands extended.

70. The powers conferred upon the Company by the Act of 1890 for the compulsory purchase of lands for the purposes of that Act are hereby extended and shall continue in force and may be exercised until but shall cease after the expiration of two years

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from the twenty-fifth day of July one thousand eight hundred and ninety-three. A.D. 1893.

71. The powers granted by the Act of 1890 for the construction of the railway by that Act authorised are hereby extended and may be exercised by the Company for the period of three years from the twenty-fifth day of July one thousand eight hundred and ninety-five and section 18 of the Act of 1890 shall be read and construed as if the period limited by this Act for the completion of the said railway had been the period limited by the Act of 1890 for the completion thereof:

Extension of time for construction of railway.

If the said railway be not completed within the said period of three years then on the expiration of that period the powers for making and completing the same or otherwise relating thereto shall cease except as to so much thereof as shall then be completed.

72. And whereas pursuant to the standing orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of seven thousand and seventy-one pounds thirteen shillings two and three-quarters per centum consolidated stock being equal in value to five per centum upon the amount of the estimate in respect of the railway authorised by the Act of 1890 (which is in this Act referred to as "the 1890 deposit fund") was deposited with the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for the Act of 1890 And whereas the Company have during the year 1892 paid dividends on their ordinary share capital And whereas under the circumstances aforesaid it is expedient to make provision for the release of the 1890 deposit fund in the manner and subject to the conditions contained in this Act Therefore in consideration of the liability to the penalty by this Act herein-after provided in respect of the railway authorised by the Act of 1890 sections 18 and 19 of that Act (relative to the said deposit fund) are hereby repealed and the High Court may at any time after the passing of this Act but without requiring the production of a certificate of the passing of the Act of 1890 order (according to the provisions of the Parliamentary Deposits Act 1846) the payment or transfer of the 1890 deposit fund to the depositors referred to in the Act of 1890 or the person or persons to whom the same has been assigned.

Release of deposit fund under Act of 1890.

73. If the Company fail within the period limited by this Act to complete the railway authorised by the Act of 1890 they shall be liable to a penalty of fifty pounds a day for every day after the

Imposing penalty unless railway opened,

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expiration of the period so limited until the said railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty shall amount to five per centum on the estimated cost of the said railway :

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

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

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

Application
of penalty
in respect
of railway
authorised
by the Act
of 1890.

74. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the railway authorised by the Act of 1890 or any portion thereof or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation shall have been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit :

If no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent or the said railway or any part thereof has or have been abandoned be paid to such receiver or be applied in the

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discretion of the court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid to the Company. A.D. 1893.

75. The Company and the Brighton Company may subject to the provisions of Part III. of the Railways Clauses Act 1863 as amended or varied by the Railway and Canal Traffic Acts 1873 to 1888 from time to time enter into and carry into effect agreements for or with respect to the interchange transmission and delivery of traffic coming from or destined for the respective railways and works of the contracting companies and with respect to the fixing of the tolls or charges to be demanded and recovered in respect of such traffic and the division and apportionment of the receipts arising from such traffic. Traffic and other agreements with Brighton Company.

76. The Company and the Brighton Company may from time to time in any case where the stations of those Companies can be connected by means of subways stairs lifts or other modes of communication enter into and carry into effect agreements with respect to the construction use management and maintenance of the stations subways lifts approaches platforms sidings signals and other works and conveniences connected with the railway and works by this Act authorised and with respect to the joint or separate ownership use and occupation of such stations and works or any of them or any part or parts thereof and the appointment of a joint committee or joint committees for carrying into effect any of the purposes aforesaid. Agreements with Brighton Company as to stations &c.

77. All byelaws from time to time made under the powers of the Act of 1884 shall extend and apply to the undertaking of the Company and may be enforced by them accordingly. Byelaws to apply to entire undertaking.

78. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole the sum of seven hundred and fifty thousand pounds by the issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partially by any one or more of those modes respectively. Power to raise additional capital.

79. The Company shall not issue any share created under the authority of this Act of a less nominal amount than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof. Shares not to be issued until one fifth part thereof shall have been paid up.

80. One fifth of the amount of a share shall be the greatest amount of a call and two months at least shall be the interval Calls.

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A.D. 1893. — between successive calls and four fifths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share.

Restriction as to votes in respect of preferential shares.

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

Further borrowing powers to the Company.

82. The Company may in respect of the additional capital of seven hundred and fifty thousand pounds which they are by this Act authorised to raise from time to time borrow on mortgage of their undertaking any sum not exceeding in the whole two hundred and fifty thousand pounds or they may if and when they have completed to the satisfaction of the Board of Trade the tunnels forming either so much of the railway as lies between the commencement thereof and the junction of King William Street and Lombard Street or so much as lies between that junction and the termination of the railway borrow on mortgage as aforesaid in respect of each three hundred and seventy-five thousand pounds of the said capital any sum not exceeding one hundred and twenty-five thousand pounds but no part of any such sum of two hundred and fifty thousand pounds or one hundred and twenty-five thousand pounds (as the case may be) shall be borrowed until shares for so much of the additional capital or portion of additional capital in respect of which it is borrowed as is to be raised by means of shares are issued and accepted and one half of such capital 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 capital have been issued and accepted and that one half of such capital has been paid up and that not less than one fifth part of the amount of each separate share in such 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 said additional capital or portion of additional capital as is to be raised 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 accepted and paid up bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and also as far as such additional capital is raised by shares that such persons or corporations their executors administrators successors or assigns are legally liable for the same Upon

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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. A.D. 1893.

83. Section 41 of the Act of 1890 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. For appointment of a receiver.

84. The principal moneys secured by all mortgages granted by the Company before the passing of this Act in pursuance of the powers of any former Act of Parliament and subsisting at the passing thereof shall during the continuance of such mortgages have priority over the principal moneys secured by any mortgages granted by virtue of this Act. Existing mortgages to have priority.

85. The Company may create and issue debenture stock subject to the provisions of section 22 of the Act of 1884 and section 14 of the Act of 1887. Debenture stock.

86. All moneys raised under this Act whether by shares or debenture stock or borrowing shall be applied only to the purposes of this Act being in every case purposes to which capital is properly applicable. Application of moneys.

87. The Company may apply to the purposes of this Act or to the general purposes of their undertaking being in all cases purposes to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by shares or debenture stock or borrowing by virtue of the Acts of 1884 1887 and 1890 and which may not be required for the purposes to which they are by those Acts made specially applicable. Power to apply corporate funds to purposes of Act.

88. If the Company shall at an extraordinary general meeting of the Company to be held before any of the capital authorised to be raised by the Company under this Act has been issued resolve by the votes of the proprietors present personally or by proxy holding at least three fourths of the paid-up capital represented at such Provision for separate undertaking.

A.D. 1893. — meeting that it is expedient that such capital be constituted a separate capital and that the railway and works authorised by this Act be constituted a separate undertaking (such railway and works being herein-after referred to as “the separate undertaking”) then such railway and works with all lands buildings and property purchased or to be purchased for the purposes thereof shall form a separate undertaking distinct and apart from the rest of the Company’s undertaking and shall be called by some distinctive name and the Company may accordingly construct work manage and maintain such portion Provided always that in the event of the capital authorised to be raised under this Act being constituted a separate capital no part thereof shall be raised by the creation or issue of preference shares Provided also that nothing herein contained shall be construed to relieve the Company from any liability or obligation they may be under or from any debts they contract in respect to the separate undertaking.

Management of separate undertaking.

89. The directors of the Company may make such regulations and byelaws as they think necessary as to the control working and management of the separate undertaking and as to the exercise of the powers by this Act conferred on the Company in respect of such separate undertaking and they and any committees appointed by them for the purpose of that undertaking shall have and may exercise all such and the same powers with respect thereto as they have or might have or exercise with respect to any other part of the Company’s undertaking.

Exemption of separate undertaking from liabilities affecting general undertaking.

90. The separate undertaking and the revenues arising therefrom shall not be liable for the principal or interest of any mortgage or debenture stock charged on any other part of the Company’s undertaking nor shall any other part of the Company’s undertaking be liable for the principal or interest of any mortgage or debenture stock charged on the separate undertaking.

Separate accounts.

91. Separate accounts shall be kept of the capital and revenue of the separate undertaking and of the payments made in respect thereof in the same form and subject to the same conditions as nearly as may be as if the separate undertaking belonged to an independent company.

Repayment to general undertaking of money spent for purposes of separate undertaking.

92. The directors of the Company may from time to time make such provision as to them seems expedient for repayment by the separate undertaking to the general undertaking of the Company of money expended out of the revenue or capital of the general undertaking for any of the purposes of the separate undertaking

before the passing of the resolution constituting the separate undertaking. A.D. 1893.

93. In the event of a separate undertaking being constituted under this Act then unless it be otherwise provided by the resolution creating the same the holders of shares or stock in the separate capital shall not be entitled to vote at meetings of the Company except in relation to matters concerning the separate undertaking. Votes of holders of separate capital.

94. After the opening of the separate undertaking for public traffic the Company shall work the same and convey traffic thereon in a proper manner and so as fairly to accommodate and develop the traffic of the district to be served by the said undertaking. In case any difference shall arise between the Company and any of the holders of stock or shares in the separate capital with respect to the working or non-working or insufficient working by the Company of the said undertaking or otherwise in relation thereto whereby the holders of such stock or shares deem themselves to be injuriously affected such difference shall be settled by an arbitrator to be appointed by the Board of Trade on the application of either party and such arbitrator shall have full power to settle and determine any such difference and to order the Company to do or to abstain from doing all such acts matters and things as he shall think fit and to make such order with respect to the costs of such arbitration as he shall think just. In case the Company make default in complying with any such order within the time thereby prescribed then and in every such case the Company shall for every such default be liable to a penalty not exceeding fifty pounds and to a further penalty not exceeding fifty pounds for every day after the first during which such default shall continue. Separate undertaking to be worked in an efficient manner.

95. The Company may if they think fit at any time or times by resolution passed at an extraordinary general meeting by three fourths of the votes of the proprietors present personally or by proxy and on a similar resolution being passed at a like meeting of the proprietors of capital in the separate undertaking and by a like proportion of votes as aforesaid resolve that the separate capital and undertaking shall be merged in the general undertaking of the Company and thereupon the separate capital and undertaking shall be so merged accordingly subject to such terms and conditions as may be specified in such resolution. Provided always that the provisions of this section shall be clearly stated on the certificates of the shares or stock in such separate capital. Power to merge separate undertaking in general undertaking.

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Recovery
and appli-
cation of
penalties.

Saving
rights of the
Crown.

96. All offences under this Act and all penalties damages charges tolls and costs imposed or payable under this Act may be recovered in a summary manner under the provisions of the Summary Jurisdiction Acts.

97. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any portion of the bed or soil or shores of the River Thames or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in the right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Interest not
to be paid
on calls
paid up.

98. 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 to 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.

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

99. 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.

Working
class trains.

100. Nothing in this Act shall be deemed to confer on the Company any right to claim exemption from any requirements of the Board of Trade under the Cheap Trains Act 1883 or any statutory modifications thereof or from the provisions of any general Act or any special Act of Parliament which may be hereafter passed dealing with the subject of cheap trains.

Provision as
to general
Railway
Acts.

101. Nothing in this Act shall exempt the Company or their railways 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

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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 of the rates for small parcels authorised to be taken by the Company. A.D. 1893.

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

SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Describing HOUSES BUILDINGS and MANUFACTORIES under which
 EASEMENTS only are required to be taken.

Parish.	No. on deposited Plans.
St. Olave - - - - -	19 20.
St. Saviour's - - - - -	16 17 18 20.
St. Magnus' - - - - -	22 23 24 25 26 27 28.

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SECOND SCHEDULE.

SECTIONS of the ACTS of 1884 1887 and 1890 which are extended
to this Act.

No. of Section.	Marginal Note of Section.
Act of 1884.	
41	Company empowered or may be required to underpin or otherwise strengthen houses near subway.
53	For protection of sewers in the city of London.
54	For the protection of the streets of the metropolis.
56	For protection of sewers of Metropolitan and other Boards.
63	Works on River Thames to be executed under direction of Conservators.
64	Company not to commence any work on shore of Thames until notice given.
66	Company not to take gravel &c. from river without consent.
67	No permanent works to be erected in the river.
68	Lights to be exhibited upon the works and upon temporary works during construction.
70	Saving rights of Conservators of the River Thames.
71	All works affecting water and gas companies to be executed to the satisfaction of their engineers.
72	Penalty for interrupting the supply of water or gas.
73	Repairs of water pipes to be borne by Company in certain cases.
74	Water and gas companies empowered to lay and repair pipes on land of Company.
75	For settlement of disputes between Company and gas and water companies.
92	For protection of subway.
Act of 1887.	
37	Water or gas companies not to be liable for certain damages.
38	Further provisions for the protection of the Southwark and Vauxhall and Lambeth Water Companies.
46	As to conveyance of mails.
Act of 1890.	
28	As to carrying of mails.

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