

CHAPTER cliii.

An Act to authorise the London Walthamstow and Epping Forest Railway Company to divert and improve their authorised Railway and to form connexions between the same and other Railways and for other purposes.

A.D. 1895.

[6th July 1895.]

WHEREAS by the London Walthamstow and Epping Forest Railway Act 1894 (herein-after called "the Act of 1894") the London Walthamstow and Epping Forest Railway Company (herein-after called "the Company") were incorporated and authorised to make a railway from London to Walthamstow and Epping Forest and to raise two millions one hundred thousand pounds by shares and seven hundred thousand pounds by borrowing on mortgage or by the creation and issue of debenture stock but the Company have not yet issued any capital :

And whereas it is expedient that the Company have power to alter deviate and improve their said authorised railway and to make the new railways in this Act described for connecting the same with other railways and to raise additional capital for that purpose :

And whereas plans and sections showing the lines and levels of the railways and works authorised by this Act and also a book of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerks of the peace for the counties of London Middlesex and Essex respectively and are herein-after referred to as the deposited plans sections and book of reference :

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

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

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A.D. 1895. 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:—

Short title. 1. This Act may be cited as the London Walthamstow and Epping Forest Railway Act 1895.

Incorporation of Acts. 2. The Lands Clauses Acts the Railways Clauses Consolidation Act 1845 and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of the Railways Clauses Act 1863 the provisions of the Companies Clauses Consolidation Act 1845 with respect to—

The distribution of the capital of the Company into shares ;

The transfer or transmission of shares ;

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

The forfeiture of shares for non-payment of calls ;

The remedies of creditors of the Company against the shareholders ;

The borrowing of money by the Company on mortgage or bond ;

The conversion of the borrowed money into capital ;

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 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) and Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 are (except where expressly varied by this Act) incorporated with and form part of this Act.

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

The expressions "the railway" or "the railways" mean the railways and alterations and deviations of railways by this Act authorised ;

The expression "the council" means the London County Council the Middlesex County Council or the Essex County Council as the case may be :

The expressions "parish clerks" and "clerks of the several parishes" in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall as regards those parishes or places in the metropolis as 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 clerk of the vestry of the parish and in the second case the clerk of the district board ;

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And for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or other like expression in this Act or any Act wholly or partially incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

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 railways and works herein-after described with all necessary and proper stations platforms approaches sidings junctions works and conveniences connected therewith and may subject as aforesaid enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for those purposes.

Power to make rail-ways and works.

5. The railways and works herein-before referred to and authorised by this Act are—

Description of works.

(1) An alteration of the levels of a portion 1 mile 2 furlongs 55 chains in length of Railway No. 4 described in and authorised by the Act of 1894 commencing in the parish of Leyton in the county of Essex at a point on the north-east side of Markhouse Road and terminating in the parish of Walthamstow in the same county at a point on the south side of the road known as Church Hill :

(2) An alteration in the parish of Walthamstow of the levels for the entire length of Railway No. 8 described in and authorised by the Act of 1894 commencing at the termination of the said authorised Railway No. 4 altered as before described and terminating by a junction with the Walthamstow and Chingford Railway of the Great Eastern Railway Company :

(3) A railway (No. 1) 3 furlongs 7·7 chains in length wholly in the parish of Leyton commencing by a junction with the said

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authorised Railway No. 4 altered as aforesaid in the field belonging or reputed to belong to Thomas Arno numbered 68 on the plans of Railway No. 4 deposited with the clerk of the peace for the county of Essex in the month of November one thousand eight hundred and ninety-three and terminating by a junction with the Tottenham and Forest Gate Railway:

- (4) A railway 7 furlongs 1.45 chains in length being a deviation of a portion of Railway No. 7 described in and authorised by the Act of 1894 commencing in the parish of St. John at Hackney in the county of London at a point on the said authorised Railway No. 7 two furlongs and four chains from the commencement of that railway as marked and measured on the plans thereof deposited with the clerk of the peace for the county of London in the month of November one thousand eight hundred and ninety-three and terminating in the parish of Tottenham in the county of Middlesex by a junction with the Tottenham and Hampstead Junction Railway.

The alteration before described of Railway No. 4 authorised by the Act of 1894 shall be deemed to fulfil the conditions as to levels and otherwise referred to in the proviso to section 6 of the said Act and that proviso is hereby repealed.

Restrictions
on use of
electric
power.

6. The provisions contained in sections 8 and 10 of the Act of 1894 shall apply to the use by the Company of electric power in the event of such power being employed on the railways by this Act authorised or any part thereof unless such power is entirely contained in and carried along with the carriages:

Power to
divert roads,
as shown on
deposited
plans.

7. The Company may divert the public highways referred to in the next following table in the manner shown upon the deposited plans and sections and when and as in each case the new portion of any road is made to the satisfaction of two justices and is open for public use may stop up and cause to be discontinued as a road so much of the existing road as will be rendered unnecessary by the new portion of road (that is to say):—

Railway or Work.	Parish.	Number of Road on Plan.
Alteration of levels of Railway No. 4	Leyton - -	87 88 106
Railway No. 1 - - - -	Leyton - -	191

And when and so soon as such portion of each of the said roads is so stopped up all rights of way over the same shall cease and the Company may subject to the provisions of the Railways Clauses

Consolidation Act 1845 with respect to mines lying under or near to the railway appropriate and use for the purposes of their undertaking the site of the portion of road stopped up as far as the same is bounded on both sides by lands of the Company Provided that no portion of road shall be stopped up unless the Company are owners in possession of all houses and lands in the road except so far as the owners lessees and occupiers of such houses and lands may otherwise agree. A.D. 1895.

8. When the Company are or under the powers of this Act become the owners in possession of property on both sides of Stanhope Road in the parish of Walthamstow they may stop up and discontinue and extinguish all public rights of way over so much of that road numbered 86 on the deposited plans in the said parish as shall be within the boundaries of the Company's property but not so as to interfere with the access to any property of which the Company are not owners in possession as aforesaid. Stopping up of certain road.

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

10. In the execution of the 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 and vertically from the levels marked on the deposited sections to the extent and under the conditions prescribed by sections 44 and Power to deviate from lines and levels.

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Lands for extraordinary purposes.

11. The quantity of land to be taken by the Company by agreement for the extraordinary purposes mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed in the whole three acres but nothing in this Act or in that Act shall exonerate the Company from any action indictment or other proceeding for nuisance in the event of any nuisance being permitted or caused by them upon any land so taken:

Provided always that for the purposes of this section extraordinary purposes shall not include the erection of buildings or works for generating electricity or without the consent of the London County Council with respect to lands in the county of London include the provision of yards wharves and places for receiving depositing and loading or unloading goods or cattle.

Portions of capital to be subscribed before compulsory powers put in force.

12.—(1) When any portion of the capital authorised by the Act of 1894 and this Act not being less than the respective sum herein-after mentioned in connexion with one of the three following sections of the railway and forming a portion of the capital or estimated sum for defraying the expenses of the undertaking shall have been subscribed under contract binding the parties thereto their heirs executors or administrators for the payment of the several sums in such portion of capital by them respectively subscribed it shall be lawful for the Company notwithstanding anything in section 16 of the Lands Clauses Consolidation Act 1845 to put in force the powers of that Act in relation to the compulsory taking of land for the purposes of the railways and portions of railway authorised by the Act of 1894 and this Act comprised in the section of railway in respect of which such sum shall have been subscribed.

(2) When the sum or sums herein-after mentioned in connexion with each of the other sections of the railway respectively shall have been subscribed as aforesaid the powers of the said Act of 1845 in relation to the compulsory taking of land for the purposes of the railways and portions of railway comprised in each of those sections may be exercised as aforesaid.

(3) The sections of railway before referred to and the sums mentioned in connexion with each such section of railway are as follow:—

(A) One million five hundred thousand pounds for section of railway from South Place Finsbury to Upper Clapton;

(B) Four hundred thousand pounds for section of railway from Upper Clapton to Walthamstow;

(c) Three hundred and sixty thousand pounds for section of railway from Walthamstow to High Beech. A.D. 1895.

13. A certificate under the hand of a secretary or an assistant secretary of the Board of Trade certifying the sums from time to time subscribed in respect of each section of railway as aforesaid shall be sufficient evidence thereof and on the application of the Company and the production of such evidence as the Board of Trade shall think proper and sufficient they shall grant a certificate accordingly and indicate in such certificate the particular section of railway to which the subscribed sum or sums shall be applied and for the purposes of which the Company require to put in force the powers for the compulsory taking of land and the sums so certified shall be applied exclusively to the respective sections of railway so indicated so far as they are necessary for the completion of such sections respectively.

Certificate of Board of Trade that portion of capital has been subscribed.

14. 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.

Period for compulsory purchase of lands.

15. The agreement dated the eleventh day of June one thousand eight hundred and ninety-five between the Company of the one part and Thomas Arno of Park House Cawley Road South Hackney of the other part as set forth in the Second Schedule to this Act is hereby confirmed and made binding upon the Company and the said Thomas Arno parties thereto.

Confirmation of agreement with Thomas Arno.

The transfer and vesting contemplated by the said agreement shall be evidenced by a duly stamped conveyance which shall within three months after the date of its operation be produced to the Commissioners of Inland Revenue and in default of production the ad valorem stamp duty with interest at the rate of five pounds per centum per annum from the date of vesting to the date of payment shall be a debt due to Her Majesty and recoverable accordingly with full costs of suit and all costs and charges attending the same.

Conveyance referred to in agreement to be duly stamped.

16. The Company shall before the commencement of the construction of Railways Nos. 1 and 4 referred to in section 5 of this Act or either of the said railways or any portion thereof acquire such of the freehold and leasehold properties belonging to Robert Jerman in the parish of Leyton in the county of Essex as are numbered 135 163 162 161 160 159 158 157 156 155 154 153 152 151 118 117 116 115 114 104A 101 100 99 89 88A 81 80 79 78 77 on the deposited plans.

For the protection of Robert Jerman.

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For pro-
tection of
William
Cluff's
trustees.

17. For the protection of the trustees and tenants for life under the will of William Cluff deceased (in this section called "the trustees") the following provisions shall have effect:—

(1) Notwithstanding anything in this Act or in the Act of 1894 contained the Company shall not purchase otherwise than by agreement any part of or any interest in the estate belonging or reputed to belong to the trustees situate in the parishes of Walthamstow and Leyton unless they at the same time purchase the eleven dwelling-houses with the gardens in rear thereof known respectively as Numbers 289 291 293 295 297 and 299 Hoe Street Numbers 42 44 46 and 48 Grosvenor Park Road in the parish of Walthamstow and Number 12 Albany Road Lea Bridge Road in the parish of Leyton but shall unless otherwise agreed between the trustees or their successors in title and the Company purchase and acquire the whole of the said eleven dwelling-houses and gardens at such price as shall be agreed upon or failing agreement as shall be settled in manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement:

(2) The Company shall whether they do or do not purchase any part of or interest in the estate of the trustees situate in the parishes of Walthamstow or Leyton make full compensation for any injury damage or inconvenience caused by or resulting from the execution or user of any of the works or from any of the operations of the Company authorised by this Act or by the Act of 1894 to such last-mentioned estate or any house thereon or part thereof:

(3) The Company shall not exercise as regards any part of the said estate the powers of section 84 of the Lands Clauses Consolidation Act 1845 until they shall have served the trustees or their successors in title with notice to treat in respect of the purchase of the whole of the said eleven dwelling-houses and gardens:

(4) The Company shall within six months after raising the first capital for the construction of any portion of the authorised railways pay to the trustees all costs charges and expenses as between solicitor and client incurred by them in or about opposing the Bill of 1894 and the Bill for this Act including therein the costs charges and expenses of watching the said Bills respectively through committee and of negotiating and agreeing the terms of the present section and of section 68 of the Act of 1894 and in or about obtaining the consent of the

Chancery Division of the High Court of Justice to such oppositions and consequent thereon but the trustees shall not make or have any claim whatever upon the parliamentary deposits in respect of the Act of 1894 or this Act.

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18. In constructing the railways deviation railways and works by this Act authorised so far as the same are situate in the county of London the Company shall have regard to and comply with the provisions contained in sections 50 53 58 59 62 and 98 of the Act of 1894 inserted at the instance of and for the protection of the London County Council as if those sections had been repeated in this Act and made applicable to the aforesaid railways deviation railways and works.

For the protection of the London County Council.

19. The provisions of section 71 of the Act of 1894 for the protection of the vestry of the parish of Hackney in regard to the railway and works in the said parish authorised by that Act shall so far as applicable to the railway and works in the same parish authorised by this Act extend and apply to such last-mentioned railway and works and for the protection of the said vestry in relation thereto as fully as if the said provisions had been repeated in this Act.

For the protection of the Hackney vestry.

20. Notwithstanding anything contained in this Act or the Act of 1894 the Company shall not purchase or acquire otherwise than by agreement any part of the Chestnuts Estate at Walthamstow in the county of Essex now vested for lunatic asylum purposes in the Essex County Council and the respective mayors aldermen and burgesses of the boroughs of Colchester and West Ham (in this section called "the asylum authorities") The Company and the asylum authorities may by such agreement arrange for and complete an exchange of any part or parts of the said Chestnuts Estate for other lands acquired or to be acquired by the Company under the Act of 1894 or this Act.

For the protection of the Chestnuts Estate at Walthamstow.

21. For the protection of the urban district council for the district of Tottenham in the county of Middlesex (herein-after in this section called "the council") the following provisions shall have effect unless otherwise agreed between the council and the Company (that is to say):—

For the protection of the urban district council of Tottenham.

(1) The Company shall make and maintain a bridge of a span of not less than forty feet and of a height of sixteen feet at the least above the present surface of the roadway or lane known as Bailey's Lane commencing and terminating in the parish of Tottenham for the carrying of the said deviated Railway No. 7 over the said lane at or near a point three furlongs six and a

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- half chains from the commencement of the deviation of the said Railway No. 7 as shown upon the deposited plans:
- (2) The Company shall construct and maintain a brick culvert in the said district at or near a point three furlongs seven and a half chains from the commencement of the deviation of the said Railway No. 7, as shown on the deposited plans across the said railway, such brick culvert to be not less than five feet and four feet in width and height respectively:
 - (3) The Company shall construct and maintain a brick culvert in the said district of not less than five feet six inches in height and five feet six inches in width across the said deviated Railway No. 7 with a manhole at either end thereof for the twenty-one inch outfall cast-iron sewer at or near a point four furlongs seven chains from the commencement of the deviation of the said Railway No. 7 as shown on the deposited plans:
 - (4) The Company shall construct and maintain an egg-shaped brick culvert across the said deviated Railway No. 7 of not less dimensions than five feet and three feet nine inches in height and width respectively with a manhole at either end thereof for the outlet sewer from the adjoining property known as the Markfield Estate at or near a point six furlongs one chain from the commencement of the deviation of the said Railway No. 7 as shown on the deposited plans:
 - (5) The Company shall construct and maintain a brick sewer crossing the said deviated Railway No. 7 of not less dimensions than four feet and two feet eight inches in height and width respectively with a manhole at either end thereof for the benefit and accommodation of any buildings that may be erected on portion of the said Markfield Estate at or near a point five furlongs five and a half chains from the commencement of the deviation of the said Railway No. 7 as shown on the deposited plans:
 - (6) If for the purposes of carrying out their works or for any reason whatsoever the Company shall find it necessary to in any way interfere with the watercourse known as Stonebridge Brook in the said parish the Company shall then forthwith on such interference take such steps as are necessary for its reservation without any reduction of the water area of the said brook:
 - (7) If for the purposes of carrying out their works or for any other reason whatsoever the Company shall find it necessary to in any way interfere with the eighteen-inch outfall sewer leading to the Tottenham Sewage Works the Company shall

then forthwith on such interference construct in lieu of the said sewer a brick culvert across the said deviated Railway No. 7 such culvert to be of not less dimensions than five feet and three feet nine inches in height and width respectively with the necessary manhole or manholes for access to such culvert: A.D. 1895.

(8) Sub-section 4 of section 75 (For the protection of the Tottenham Local Board) of the Act of 1894 is hereby repeated.

22. For the protection of the Leyton Urban District Council (in this section referred to as "the council") the following provisions shall (unless otherwise agreed on in writing between the council and the Company) be binding upon the Company and full effect shall be given thereto viz.:— For the protection of the Leyton Urban District Council.

(1) The Company shall not commence any of the works in the urban district of Leyton by this Act authorised which shall or may pass over under or by the side of or so as to interfere with the sewers of the council until they shall have given to the council one month's previous notice in writing of their intention to commence the same by depositing such notice at the principal office of the council with plans and sections thereof as hereinafter defined and until the council shall have signified their approval of the same unless the council do not signify their approval disapproval or other directions within one month after deposit of the said plans and sections as aforesaid and the Company shall comply with and conform to all reasonable orders directions and regulations of the council in the execution of the said works and shall provide by new altered or substituted works in such manner as the council shall reasonably require for the proper protection of and for preventing injury or impediment to the said sewers by reason of the intended works or any part thereof and shall save harmless the council against all expenses to be occasioned thereby and all such works shall be done by or under the direct superintendence and control of the engineer or other officer of the council at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the council may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the council by the Company on demand and when any new altered or substituted works as aforesaid or any works of defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this Act the same shall thereafter be as fully and completely under the direct jurisdic-

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tion and control of the council as any sewers or works now or hereafter may be. And nothing in this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the council except as varied by this Act but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed :

- (2) It shall not be lawful for the Company to remove any soil or material from under any road except such as may be excavated from the space to be occupied by the tunnels cuttings 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 the manner in which and the levels at which the works are proposed to be constructed and shall accurately describe the position of all sewers of the council proposed to be interfered with within the limits of deviation shown on the deposited plans and shall comprise detailed drawings of every alteration which the Company may propose to make in any such sewers :
- (4) The Company shall divert the sewer and surface water drains of Violet Myrtle and Rosebank Roads respectively by constructing a new 12-inch pipe sewer and a new 9-inch surface water drain on the north side of and parallel to Railway No. 4 to a point in the land at present belonging to Thomas Arno opposite Shrubland Road and thence by a 15-inch sewer and a 12-inch surface water drain under Railway No. 4 and along Shrubland Road connecting with the council's main sewer and surface water drain in Lea Bridge Road such sewers and surface drains to be constructed at a gradient of not less than one in six hundred. All private sewer connexions and gully connexions met with during the progress of the work shall be connected to the said sewer and surface drains to the satisfaction of the council by and at the cost of the Company :
- (5) The Company shall be liable to make good all injuries or damage caused by or resulting from any of their works or operations to any sewers drains or works vested in the council and the council shall from time to time have power to recover the amount thereof from the Company in any court of competent jurisdiction :
- (6) The approval by the council of any plans or superintendence by the council of any works under the provisions of this section shall not exonerate the Company from any liability or affect any claim for damages under this section or otherwise :

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(7) The council shall at all times hereafter be entitled under reasonable conditions to carry out and construct such further sewers drains or pipes or extensions of existing sewers drains or pipes as may from time to time be necessary for the requirements of their district over or under the railways and works of the Company in the said district and to renew repair or alter same without the Company requiring or being entitled to any compensation or other payment therefor or in respect of any entry on the land or property of the Company for such purpose :

(8) Every bridge to be constructed by the Company for carrying any road or street within the said urban district of Leyton over the railway shall have a width between the parapets thereof of not less than forty feet measured on the square :

(9) The abutments of all over bridges constructed over public roads and all buildings erected in connexion with any or either of the said railways shall be set back to the building line not to exceed ten feet in each road or street and if in any road or street there should be no building line the said abutments and buildings shall be set back ten feet on either side of the said street after allowing for a roadway forty feet in width No piers or columns in connexion with the bridges or otherwise shall be placed on the roadway or footpaths within the said district in front of the building line as aforesaid or where there is no building line within ten feet on either side of a street as aforesaid :

(10) The Company shall not commence the erection of any bridge for carrying the railway over or under any road or street within the urban district of Leyton until they shall have given to the council twenty-one days notice in writing of their intention to commence the same by depositing such notice at the principal office of the council with plans elevations sections and other necessary particulars of the construction of the said bridge and until the council shall have signified their approval of the same unless the council fail to signify such approval or their disapproval or other directions within twenty-one days after deposit of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the council in the execution and subsequent maintenance of every bridge and the works connected therewith and shall save harmless the council against all and every the expense to be occasioned thereby and all the works

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to be done in connexion with such bridge shall be done to the reasonable satisfaction of the engineer of the council at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the council may be put to or incur by reason of the works of the Company whether in the execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the council by the Company on demand:

(11) Where the said railways are above the level of the road and are constructed by means of a viaduct the arches of the said viaduct and all bridges carrying the said railways over any roadway shall be of a reasonably ornamental character and design such design to be approved by the engineer to the council and such bridges shall be constructed and maintained so as to prevent the dripping of water therefrom on any part of the road or footway and so as to deaden as far as practicable the sound of the engines carriages and traffic passing over them:

(12) The said bridges and the outer face of the said viaducts shall not be used for posting bills posters placards or advertisement boards of any kind other than boards to indicate the name of the station:

(13) The Company shall pave and kerb the footpaths and metal kerb and channel to the satisfaction of the engineer of the council all roadways under or over the said railways and the Company shall not break up or disturb any roadway until they shall have given to the council seven days notice in writing of their intention so to do and all roadways which shall be broken up or disturbed by the Company shall be reinstated as soon as possible and be kept in repair by the Company for a period of twelve months after their reinstatement by the Company:

(14) The Company shall not in the urban district of Leyton 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 an unsightly condition for any longer period than is reasonably necessary:

(15) Notwithstanding the powers of deviation the Company shall not alter the levels of Rosebank and Boundary Roads higher than three feet and three feet four inches respectively as shown on the deposited plans nor stop up any road within the said urban district of Leyton And further that the diversion of Lily Road Amberley Road and Myrtle Road shall be effected and carried out in accordance with the said deposited plans:

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(16) The Company shall before opening the line for traffic construct and open a passenger station in the urban district of Leyton within three hundred yards of Markhouse Road:

(17) If any difference shall arise between the council and the Company with reference to any of the matters in this section the same shall be referred to an arbitrator to be appointed by the Board of Trade on the application of either the council or the Company and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

23. For the protection of the Walthamstow Urban District Council (in this section referred to as "the district council") the following provisions shall (unless otherwise agreed on in writing between the district council and the Company) be binding upon the Company and full effect shall be given thereto viz.:—

For the protection of the Walthamstow Urban District Council.

(1) The Company shall not commence any of the works in the urban district of Walthamstow by this Act authorised which shall or may pass over under or by the side of or so as to interfere with the sewers of the district council until they shall have given to the district council one month's previous notice in writing of their intention to commence the same by depositing such notice at the principal office of the district council with plans and sections thereof as herein-after defined and until the district council shall have signified their approval of the same unless the district council do not signify their approval disapproval or other directions within one month after deposit of the said plans and sections as aforesaid and the Company shall comply with and conform to all reasonable orders directions and regulations of the district council in the execution of the said works and shall provide by new altered or substituted works in such manner as the district council shall reasonably require for the proper protection of and for preventing injury or impediment to the said sewers by reason of the intended works or any part thereof and shall save harmless the district council against all expenses to be occasioned thereby and all such works shall be done by or under the direct superintendence and control of the surveyor or other officer of the district council at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the district council may be put to by reason of such works of the Company whether in the execution of works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the district council by the Company on demand and when any new altered or sub-

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stituted works as aforesaid or any works of defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this Act the same shall thereafter be as fully and completely under the direct jurisdiction and control of the district council as any sewers or works now or hereafter may be. And nothing in this Act shall except as herein expressly provided extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the district council but all such rights powers and authorities shall be as valid and effectual as if this Act had not been passed :

- (2) It shall not be lawful for the Company to remove any soil or material from under any road except such as must be excavated from the space to be occupied by the tunnels cuttings and stations and the approaches thereto :
- (3) The plans to be submitted to the district council for the purposes of this Act shall be detailed plans drawings sections and specifications describing the exact position and the manner in which and the levels at which the works are proposed to be constructed and shall accurately describe the position of all sewers of the district council proposed to be interfered with within the limits of deviation shown on the deposited plans and shall comprise detailed drawings of every alteration which the Company may propose to make in any such sewers :
- (4) The district council may at the expense of the Company connect the sewers now existing in Clarendon Road Granville Road and Grove Road numbered respectively 30 39 and 52 on the deposited plans and book of reference relating to the Railway No. 4 by a twenty-one-inch pipe with the existing twenty-one-inch sewer in Queen's Road near the Tottenham and Forest Gate Railway and the Company shall on demand pay to the district council all costs charges and expenses which may be incurred in connecting the said sewers whether for works materials plans superintendence or otherwise :
- (5) The Company shall be liable to make good all injuries or damage caused by or resulting from any of their works or operations to any sewers drains pipes wires or works vested in the district council and the district council shall from time to time have power to recover the amount thereof from the Company in any court of competent jurisdiction :
- (6) The approval by the district council of any plans or superintendence by the district council of any works under the provisions of this section shall not exonerate the Company from

any liability or affect any claim for damages under this section or otherwise :

- (7) The district council shall at all times hereafter be entitled to carry out and construct such further sewers drains pipes or wires or extensions to existing sewers drains pipes or wires as may from time to time be necessary for the requirements of their district over or under the railways and works of the Company in the said district without the Company requiring or being entitled to any compensation or other payment therefor and the Company shall grant all reasonable facilities for the carrying out and construction of the necessary works :
- (8) Every bridge to be constructed by the Company for carrying the railway over any road or street within the urban district of Walthamstow shall have a clear span of not less than forty feet :
- (9) Every bridge to be constructed by the Company for carrying any road or street within the said urban district of Walthamstow over the railway shall have a width between the parapets thereof of not less than forty feet measured on the square :
- (10) The Company shall not commence the erection of any such bridge as mentioned in the two preceding sub-sections until they shall have given to the district council twenty-one days notice in writing of their intention to commence the same by leaving such notice at the office of the district council with plans elevations sections and other necessary particulars of the construction of the bridge and until the district council shall have signified their approval of the same unless the district council fail to signify such approval or their disapproval or other directions within twenty-one days after service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the district council in the execution and subsequent maintenance of every bridge and the works connected therewith and shall save harmless the district council against all and every expense to be occasioned thereby and all the works to be done in connexion with such bridge shall be done to the reasonable satisfaction of the engineer of the district council at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the district council may be put to by reason of the works of the Company whether in the execution of the works the preparation

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or examination of plans or designs superintendence or otherwise shall be paid to the district council by the Company on demand:

(11) The abutments of all bridges constructed over public roads in connexion with Railways Nos. 4 and 8 and all buildings erected in connexion with either of the said railways shall be erected on the building line in each street and if in any street there should be no building line the said abutments and buildings shall be set back ten feet on either side of the said street after allowing for a roadway forty feet in width:

(12) Where the said railways are above the levels of the road and are constructed by means of a viaduct the arches of the said viaduct and all bridges carrying the said railways over any roadway shall be of a reasonably ornamental character and design such design to be approved by the engineer to the district council and such bridges shall be constructed and maintained so as to prevent the dripping of water therefrom on any part of the road or footway and so as to deaden as far as practicable the sound of engines carriages and traffic passing over them:

(13) The said bridges and the outer face of the said viaducts shall not be used for posting bills posters placards or advertisement boards of any kind other than boards to indicate the name of the station and time of the trains calling thereat:

(14) The Company shall pave the footpaths and metal kerb and channel to the satisfaction of the engineer of the district council all roadways under or over the said railways and the Company shall not break up or disturb any roadway until they shall have given to the district council seven days notice in writing of their intention so to do and all roadways which shall be broken up or disturbed by the Company shall be reinstated as soon as possible and be kept in repair by the Company for a period of twelve months after their reinstatement by the Company:

(15) In constructing the said Railway No. 4 the Company shall construct the same in tunnel or cutting underneath Hoe Street numbered 150 in the book of reference and the deposited plans relating to the said railway and in so doing the Company shall not alter the level of the said street to a greater extent than one foot six inches nor of Boundary Road to a greater extent than three feet four inches from the present level nor increase the gradient of either street to a greater extent than 1 in 40:

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(16) The Company shall at their own expense before constructing their railways and works widen Boundary Road to forty feet throughout from Hoe Street to the goods yard of the Midland Railway Company :

(17) In construction of the railways authorised by this Act the Company shall not alter the level of any of the roads street or footpaths within the urban district of Walthamstow except so far as is herein-before expressly authorised and the power contained in section 10 of this Act to deviate vertically from the levels marked on the deposited sections shall not apply to the railways and works referred to in this section so far as regards the said roads streets and footpaths :

(18) Where any house is or shall be interfered with by the works of the Company either under the present Act or the Company's Act of 1894 the Company shall in all cases where such house is not pulled down leave the said house with the air-space required by the byelaws of the district council as if the same were now about to be erected Provided that in no case shall the Company be required to leave more air-space to any such house than it possessed or enjoyed immediately before such interference :

(19) If after the Company have acquired any lands in the district of Walthamstow under the powers of this Act or the Company's Act of 1894 the amount of any general district rate poor's rate or other local rate levied in respect of such lands and any houses and buildings thereon shall in any year be less than the amount of such rate leviable at the time of the passing of this Act in respect of such lands houses and buildings by reason of such lands houses and buildings having been taken and used by the Company for the purposes of the said Acts the Company shall from time to time make good such deficiency until three years after the railway shall be completed and assessed to such rate :

(20) If any difference shall arise between the district council and the Company with reference to any of the matters in this section the same shall be referred to an arbitrator to be appointed by the Board of Trade on the application of either the district council or the Company and the provisions of the Arbitration Act 1889 shall apply to any such arbitration but the Company shall solely bear the expense of such arbitration including the reasonable fees of the engineer of the district council incurred under any of the provisions of this section and the district council shall not be put to any expense whatever in connexion therewith unless the arbitrator shall be

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of opinion that the council have unreasonably forced the arbitration on the Company but in no case shall the council be called upon to pay any costs or expenses to the Company.

For the protection of the Great Eastern Railway Company.

24. For the protection of the Great Eastern Railway Company (herein-after called "the Great Eastern Company") the following provisions and conditions shall (unless otherwise agreed between the Company and the Great Eastern Company) be binding upon the Company and have effect (that is to say):—

- (A) Unless the Company shall in the session of 1896 apply for leave to abandon the railways authorised by their Act of 1894 the Company shall and will apply to Parliament in the session of 1896 or of 1897 for an Act authorising them to abandon the construction of the Railway No. 6 authorised by the Act of 1894 and also to construct instead thereof a railway commencing by a junction with the Railway No. 3 authorised by the Act of 1894 and terminating by a junction with the Cambridge main line of the Great Eastern Company south of Clapton Junction at the respective points "A" "B" shown upon a plan signed by John Wilson on behalf of the Great Eastern Company and William Beswick Myers on behalf of the Company (or at such other points as may be fixed by the engineer for the time being of the Great Eastern Company) so as to connect the said Railway No. 3 with the said main line of the Great Eastern Company and shall if such application fail on the requisition of the Great Eastern Company in writing signed by their secretary renew the same :
- (B) The said railway shall be constructed by and at the expense of the Company in all respects as if such railway had been authorised by the Act of 1894 and in accordance with the provisions of the Third Schedule of the said Act as modified by this Act and so as to be opened for traffic at the same time as the Railway No. 3 authorised by the Act of 1894 The junctions with the said Railway No. 3 and the Cambridge main line of the Great Eastern Company respectively shall with all incidental signals cabins and signal and point apparatus be completed and finished by the Company at their sole expense and the expense of working the same shall be borne by the Company but the details incidental to the mode of forming the junction with the main line of the Great Eastern Company and the exact position thereof shall be fixed by the Great Eastern Company :
- (c) If the Company fail to apply to Parliament as aforesaid or such application fail or if the Company having obtained such an Act as aforesaid fail to construct and open the said railway

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as herein-before provided the Great Eastern Company may at any time thereafter apply to Parliament for power to construct and may upon obtaining the said powers construct the said railway and the costs and expenses of obtaining the Act and of constructing the said railway shall upon demand be repaid to the Great Eastern Company by the Company out of any moneys which may be raised by them whether by shares stock or borrowing under the provisions of their Acts for the purposes of their undertaking and the Company shall not be at liberty to oppose such application to Parliament by the Great Eastern Company :

- (D) The Great Eastern Company shall have the right to run over and use the railway to be constructed in accordance with the provisions of this section and also the railway deviation of railway and other works authorised to be constructed by this Act and may exercise the same powers and privileges with regard thereto as are conferred on that company by the agreement dated the twenty-fourth day of April one thousand eight hundred and ninety-four and set forth in the Third Schedule to the Act of 1894 and made between the Great Eastern Company of the one part and Reuben Button James Higham Abraham Surry Andrews and Charles Cleverly Paine on behalf of the Company of the other part in the same manner as if such railways and works had been authorised by the Act of 1894 and were part of the railways mentioned in the aforesaid agreement :
- (E) Paragraph 2 of the agreement with the Great Eastern Company set forth in the Third Schedule to the Act of 1894 shall be read and have effect as if the words " If and when the Owning Company construct the new railways they shall at their own expense construct the same " had been inserted therein instead of the words " The Owning Company shall at their own expense construct the new railways " :
- (F) The provisions of sub-section 6 of section 85 of the Act of 1894 shall extend and apply to the Railway No. 8 authorised by that Act as altered by this Act.

25. The provisions of section 105 of the Act of 1894 shall extend and apply to the railway to be constructed in accordance with the provisions of the last preceding section and the railways deviations of railways and other works by this Act authorised as if all such railways and works had been authorised by the Act of 1894.

Saving for Postmaster General in section 105 of Act of 1894 to apply to railways authorised by this Act.

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For protection of
Tottenham
and Hamp-
stead Junction
Railway
Company.

26. The provisions of section 86 of the Act of 1894 shall apply mutatis mutandis to the deviation of Railway No. 7 by this Act authorised as if the said section and the provisions and powers thereof had been re-enacted in full in this Act in reference to that deviation.

For protection of
Tottenham
and Forest
Gate Railway
Company.

27. In constructing and maintaining the railways and works authorised by this Act where the same will pass under or otherwise affect the railways and works of the Tottenham and Forest Gate Railway Company (herein-after called "the Forest Gate Company") the Company shall be subject to the following provisions and conditions (unless otherwise agreed) for the protection of the Forest Gate Company:—

- (1) The Company shall not without the consent in writing of the Forest Gate Company under the hand of their secretary for the time being enter upon take use or interfere with any of the railways of the Forest Gate Company or any of the lands or works of that company nor execute any works which will pass under or in any way affect or interfere with the same until the Company shall have delivered to the Forest Gate Company plans elevations sections and specifications of such intended works or of any subsequent works for the maintenance repair or renewal thereof and until those plans elevations sections and specifications shall have been reasonably approved in writing by the principal engineer for the time being of the Forest Gate Company and all the intended works or any subsequent works for the maintenance and repair or renewal thereof under over or affecting or interfering with the railways and works of the Forest Gate Company shall be executed by the Company according to such approved plans elevations sections and specifications and under the superintendence and control and to the reasonable satisfaction of the said principal engineer of the Forest Gate Company and at the expense of the Company in all things Provided that if the said engineer shall not have expressed his approval or disapproval of and other directions with respect to the said plans elevations sections and specifications within twenty-eight days after the same shall have been submitted to him he shall be deemed to have approved thereof:
- (2) The railways and other works by this Act authorised where they pass under or in anywise affect the railways works or lands of the Forest Gate Company or any works for the maintenance repair or renewal thereof shall after the commencement thereof be proceeded with with all practicable

despatch and if the Company shall not be proceeding in the construction and execution of the said railways and other works or any of them with all despatch as aforesaid it shall be lawful for the Forest Gate Company to enter upon the land and property acquired or occupied by the Company and to do all acts and things and to take possession of and use all materials or plant necessary for the execution and completion of the said railways and works or so much thereof as may be desirable or expedient for the safety of their railways property and works or for preventing or removing any obstruction or interference with the safe and convenient use or occupation thereof in as free and commodious a manner as they might have used or occupied the same if the said railways and works had not been commenced or constructed and the Company shall on demand repay to the Forest Gate Company all payments costs damages and expenses which they may incur become liable for or be put to in or about the matters aforesaid Provided that if any difference shall arise between the said parties with reference to the works mentioned in this section it shall be referred to an engineer to be appointed by the President for the time being of the Institution of Civil Engineers on the application of either of them and the Company shall comply with and conform to all directions and regulations of such referee in the execution of the said works ;

(3) During the construction of the railways and works by this Act authorised or of any subsequent works for the maintenance repair or renewal thereof under over adjoining near to or affecting the Forest Gate Railway the Company shall bear and on demand pay to that company the expense of the employment by them of a sufficient number of inspectors signalmen and watchmen to be appointed by that company for watching their railways and their works with reference to and during the execution of the intended works or of any subsequent works for the maintenance repair or renewal thereof and for preventing as far as may be all interference obstruction danger or accident which may arise from any of the operations of the Company or from acts or defaults of their contractors or any of their servants agents or workmen or otherwise :

(4) The Company shall at all times maintain the bridges arches openings or other works by which their railway is carried under the railway of the Forest Gate Company in substantial repair and good order and condition to the reasonable satisfaction in all respects of the engineer of that company. And if and when-

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ever the Company fail so to do the Forest Gate 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 that company reasonably think requisite in that behalf and the sum from time to time certified by their engineer to be the reasonable amount of such their expenditure shall be repaid to them by the Company and in default of full repayment may be recovered with full costs by the Forest Gate Company from the Company in any court of competent jurisdiction :

(5) The Company or their contractors agents servants or workmen shall not in constructing any of the works by this Act authorised or in maintaining repairing or renewing the same under or on the railway of the Forest Gate Company obstruct impede or interfere with the free and uninterrupted and safe use of the railways or other works of the Forest Gate Company or any traffic thereon and if any such obstruction or interference shall be caused or the railways of the Forest Gate Company shall be injured or damaged or the traffic thereon impeded the Company shall compensate the Forest Gate Company for all costs damages and expenses to which that company may be put thereby and shall also pay by way of liquidated damages to the Forest Gate Company one hundred pounds for every hour during which such traffic shall be impeded upon any of the Forest Gate Company's railways :

(6) The Company shall indemnify the Forest Gate Company for any damage or compensation which may be recovered against them by reason of the interruption of the traffic on any of the Forest Gate Company's railways or by reason of any accident thereon which interruption or accident shall have been occasioned by the acts or defaults of the Company or any of their contractors or their respective agents servants or workmen :

(7) Except as herein provided for the purpose of crossing under the Forest Gate Railway the Company shall not take or acquire any rights over under or upon any land of the Forest Gate Company and save as aforesaid nothing in this Act contained shall extend or otherwise enable the Company to take enter upon or use either temporarily or permanently any of the lands of the Forest Gate Company or to alter vary or interfere with the railways of that company or with any of the works thereof further or otherwise than is necessary for the construction of the railways and works described in and authorised by this Act without the consent in writing in every instance for that purpose had and obtained of the Forest Gate Company under their

common seal and with respect to any lands of the Forest Gate Company which the Company are authorised to use enter upon or interfere with the Company shall not purchase and take the same but the Company may purchase and take and the Forest Gate Company shall sell or grant accordingly an easement or right of using the same for the purposes for which but for this enactment the Company might purchase and take the same The price or compensation to be paid for the acquisition of such easement shall in case of dispute be settled in the manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement :

- (8) The junction of Railway No. 1 by this Act authorised with the railway of the Forest Gate Company shall be made at such point within the limits of deviation as the principal engineer for the time being of the Forest Gate Company shall designate and according to plans to be approved by him and all works necessary to be executed upon the lands of the Forest Gate Company for the purpose of effecting such junction shall be executed by the Forest Gate Company :
- (9) The Forest Gate Company may erect maintain and alter such signal-boxes signals and other works and conveniences whether in connexion with the said junction or works or with neighbouring stations and whether permanent or temporary as may be found requisite in consequence of the construction and working of the said junction or the construction of the said works and may appoint and remove such watchmen pointsmen switchmen or other persons as may be reasonably necessary for the prevention of danger or detention to or interference with traffic at or near the said junction or works and the working of such signals works and conveniences and the control and direction of such watchmen pointsmen switchmen and other persons shall belong exclusively to the Forest Gate Company The costs and expenses which the Forest Gate Company will incur in erecting such signal-boxes signals and other works and conveniences as agreed or as settled by arbitration as herein-after provided shall be borne by the Company The Company shall also bear the whole or such proportion of the cost of maintaining such signal-boxes signals works and conveniences after construction and of the wages of such watchmen pointsmen switchmen and other persons as shall be required for working the same as may be agreed or settled by arbitration as herein-after provided which costs of maintenance and working shall at the end of every half year

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be repaid by the Company to the Forest Gate Company on demand. In default of repayment of the amount of such costs expenses and wages as are provided for in this and the preceding sub-section the same may be recovered from the Company by the Forest Gate Company in any court of competent jurisdiction:

(10) Any difference not otherwise in this section provided for which may arise between the Company and the Forest Gate Company under this enactment or with reference thereto shall be, from time to time settled by arbitration in the manner provided by the Railway Companies Arbitration Act, 1859 for the settlement of disputes by arbitration.

Persons authorised to convey lands may grant easements.

28. 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 in which other than the parties to the agreement have an interest) 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.

Lands and buildings to continue liable to rates.

29. The Company shall in respect of all lands and buildings acquired by them under the powers of this Act 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.

Restrictions on displacing persons of labouring class.

30.—(1) The Company shall not under the powers of this Act purchase or acquire in any parish within the metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or beyond the metropolis in any borough or other urban district or

any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December next before the passing of this Act were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or which have been or shall be subsequently so occupied unless and until—

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(A) They shall have obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December aforesaid or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) 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) They shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme.

(2) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the Secretary of State or the Local Government Board (as the case may be) has or have approved of any such scheme they 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 buildings 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 or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as he or they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme or of any modifications of any scheme or subject to which

A.D. 1895. they 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 or the Local Government Board (as the case may be) out of the High Court.

(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 such 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 or the Local Government Board (as the case may be) 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 powers to acquire and may purchase such further lands as they require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act.

(7) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purposes 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 date of the scheme be appropriated for the purpose of 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 or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as he or they may think fit.

(8) All buildings erected or provided by the Company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 (Local) and the Metropolis Management Act 1855 and any Act or Acts amending the same respectively.

(9) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section.

(10) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purpose of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purpose of inquiries directed by that Board under the Public Health Act 1875.

(11) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(12) 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.

(13) Any houses on any of the lands shown on the plans deposited with reference to this Act occupied or which may have been occupied by persons of the labouring class within five years before the passing of this Act which have been acquired by or on behalf of the Company and for which houses no substitutes have been or are directed to be provided by any scheme approved by the said Secretary of State or the Local Government Board (as the case may be) under

A.D. 1895. the powers of any previous Act relating to the Company 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 last 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 or the Local Government Board (as the case may be) is unable to ascertain 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 Secretary of State or the Local Government Board (as the case may be) they might have been sufficient to accommodate.

(14) The expression "labouring class" in this section 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.

Deposit
money not
to be repaid
except so far
as railway
opened.

31. Whereas pursuant to the standing orders of both Houses of Parliament and to the Parliamentary Deposits Act 1846 a sum of four thousand seven hundred and twenty-four pounds nine shillings and sixpence two and three-quarters per centum consolidated stock being five per centum on the amount of the estimate in respect of the railways and works other than substituted works proposed to be authorised by the Bill for this Act as introduced into Parliament has been transferred to the Paymaster General for and on behalf of the Supreme Court. And whereas the power to construct railways numbered 2 and 3 on the deposited plans and sections and proposed to be authorised as aforesaid was struck out of the said Bill in its passage through Parliament and the proportion of the said stock representing five per centum of the amount of the estimated expense of those railways is two thousand eight hundred and sixty-four pounds fifteen shillings and threepence and the proportion representing five per centum of the amount of the estimated expense of the railways and works other than substituted works authorised by this Act is one thousand eight hundred and fifty-nine pounds fourteen shillings and threepence (which last-mentioned sum is in this Act referred to as "the deposit fund") Be it enacted that notwithstanding anything contained in the said Act the deposit fund shall not be paid to or on the application of the person or persons or the majority of the persons named in the warrant or order issued in pursuance of the said Act or the survivors

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or survivor of them (which persons survivors or survivor are or is in this Act referred to as "the depositors") unless the Company shall previously to the expiration of the period limited by this Act for the completion of the railway open the same for the public conveyance of passengers and if the Company shall make default in so opening the railway or any part thereof the deposit fund or so much thereof as shall not have been paid to the depositors shall be applicable and shall be applied in the manner provided by the next following section of this Act Provided that if within such period as aforesaid the Company open any portion of the railway for the public conveyance of passengers then on the production of a certificate of the Board of Trade specifying the length of the portion of the railway opened as aforesaid and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the railway so opened bears to the entire length of the railway the High Court shall on the application of the depositors or the majority of them order the portion of the deposit fund specified in the certificate to be paid to them or as they shall direct and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified and it shall not be necessary to produce any certificate of this Act having passed anything in the above-mentioned Act to the contrary notwithstanding.

32. If the Company do not previously to the expiration of the period limited for the completion of the railways complete and open the same for the public conveyance of passengers then and in every such case the deposit fund or so much thereof as shall not have been paid to the depositors 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 and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation then the deposit fund 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 railways in respect of which the deposit

Application
of deposit.

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was made have been abandoned be paid or transferred to such receiver or be applied in the discretion of the Court as part of the assets of the Company for the benefit of the creditors thereof and subject to such application shall be repaid or re-transferred to the depositors. Provided that until the deposit fund has been repaid to the depositors or has become otherwise applicable as herein-before mentioned any interest or dividends accruing thereon shall from time to time and as often as the same shall become payable be paid to or on the application of the depositors.

Release of
portion of
deposited
stock.

33. On the application of the persons or the majority of the persons named in the warrant or order issued in pursuance of the Parliamentary Deposits Act 1846 or the survivors or survivor of them in a summary way at any time after the passing of this Act the High Court may order the said sum of two thousand eight hundred and sixty-four pounds fifteen shillings and threepence two and three quarters per centum consolidated stock (part of the said sum of four thousand seven hundred and twenty-four pounds nine shillings and sixpence of like stock transferred as aforesaid) and the dividends thereon to be transferred and paid to the persons or person so applying or to any other persons or person he or they may appoint in that behalf.

Period for
completion
of works.

34. If the railways and works are 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.

Railways
and works to
be part of
railway of
Company.

35. The railways and works by this Act authorised shall for the purpose of tolls rates and charges and all other purposes be part of the railway of the Company as if authorised by the Act of 1894.

Company
may abandon
portion of
authorised
railway.

36. The Company shall abandon the construction of so much of Railway No. 7 authorised by the Act of 1894 as will be rendered unnecessary by the deviation thereof herein-before described.

Compensa-
tion for
damage to
land by
entry &c. for
purpose of
portion of
railway
abandoned.

37. The abandonment by the Company under the authority of this Act of any portion of any railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out of the line of railway and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company to receive compensation for

such temporary occupation or for any loss damage or injury which has been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act 1845 or in the Act of 1894.

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38. Where before the passing of this Act any contract has been entered into or notice given by the Company for the purchasing of any land for the purposes of or in relation to any portion of railway or works authorised to be abandoned by this Act the Company shall be released from all liability to purchase or to complete the purchase of any such lands but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such lands for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Compensation to be made in respect of portion of railway abandoned.

39. The Company may from time to time enter into and carry into effect contracts agreements and arrangements with any vestry or other authority or any company or body having the control or management of streets roads sewers water gas or other pipes wires or other apparatus with respect to the mode of construction of the altered deviated and new railways and works authorised by this Act or any of them or any part or parts thereof respectively and the execution of works and conveniences connected therewith and any incidental matters.

Agreements with local authorities and others.

40. The Company may apply to any of the purposes of this Act to which capital is properly applicable any moneys which they have raised or are by the recited Act authorised to raise by shares or borrowing or by the creation and issue of debenture stock.

Power to apply funds.

41. The Company may from time to time subject to the provisions of Part II. of the Companies Clauses Act 1863 raise any additional capital not exceeding in the whole one hundred and sixty thousand pounds by the issue of shares but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person or corporation 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.

Power to raise additional capital.

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New shares
to be subject
to the same
incidents as
other shares.

42. The capital in new shares created by the Company under this Act and the new shares therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects including the division of such shares into preferred and deferred half shares as if that capital were part of the original capital of the Company and the new shares were shares in that capital. The capital in new shares so created shall form part of the capital of the Company.

Dividends on
new shares.

43. Every person who becomes entitled to new shares shall in respect of the same be a holder of shares in the Company and shall be entitled to a dividend with the other holders of shares in the capital by the Act of 1894 or this Act authorised proportioned to the whole amount from time to time subscribed called and paid on such shares.

Power to
borrow.

44. The Company may in respect of the additional capital of one hundred and sixty 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 fifty-three thousand three hundred pounds but no part thereof shall be borrowed until shares for the one hundred and sixty thousand pounds of additional capital in respect of which it is to be borrowed are issued and accepted and one half thereof is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half thereof has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and that such shares were issued and accepted bonâ fide and are held by the persons or corporations to whom the same were issued or their executors administrators successors or assigns and that such persons or corporations or their executors administrators successors or assigns are legally liable for the same and upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

Repealing
provisions as
to appoint-
ment of a
receiver.

45. The provisions of the Act of 1894 as to the appointment of a receiver are hereby repealed but without prejudice to any appointment made or proceedings taken before the passing of this Act. The mortgagees of the Company's undertaking 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 five thousand pounds in the whole.

A.D. 1895.
 For appointment of a receiver.

46. The Company may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 24 of the Act of 1894.

Debenture stock.

47. All moneys by this Act authorised to be raised by shares debenture stock or borrowing shall be applied only for the purposes of this Act and the Act of 1894 to which capital is properly applicable.

Application of money.

48. The provisions of section 106 of the Act of 1894 shall extend and apply to the capital by this Act authorised to be raised and to the payment of interest thereon during the construction of the railway as if such capital had been authorised to be raised by the Act of 1894.

As to payment of interest out of capital.

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

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

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

Provision as to general Railway Acts.

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

Costs of Act.

A.D. 1895.

SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

SCHEDULE OF BUILDINGS AND PROPERTIES WHICH MAY BE EXEMPTED FROM
 SECTION 92 OF THE LANDS CLAUSES CONSOLIDATION ACT 1845.

Parish.	No. on deposited Plan.
Leyton - - - -	105 145.
Walthamstow - - -	22 34 53B 78 79 80 96 157 159A.

THE SECOND SCHEDULE.

AN AGREEMENT made the eleventh day of June one thousand eight hundred and ninety-five between the LONDON WALTHAMSTOW AND EPPING FOREST RAILWAY COMPANY (herein-after called "the Company") of the one part and THOMAS ARNO of Park House Cawley Road South Hackney London of the other part.

WHEREAS this agreement is intended to be supplemental to an agreement made the fourth day of May one thousand eight hundred and ninety-four between Reuben Button James Higham Abraham Surry Andrews and Charles Cleverly Paine promoters of the said railway company of the one part and the said Thomas Arno of the other part which said agreement is set forth in the Fourth Schedule to the London Walthamstow and Epping Forest Railway Act 1894 (57 and 58 Vict. cap. ccxvi.) herein-after referred to as the said Act of 1894 and was by section 102 of the said Act of 1894 confirmed and made binding upon the Company as if they were parties thereto in the place of the said Reuben Button James Higham Abraham Surry Andrews and Charles Cleverly Paine and as if the same were under the common seal of the Company:

And whereas the Company are promoting a Bill in the present session of Parliament intituled "A Bill to authorise the London Walthamstow and Epping Forest Railway Company to divert and improve their authorised railways and to form connexions between the same and other railways and for other purposes" herein-after referred to as the said Bill of 1895 and by the said Bill of 1895 powers are sought by the Company for the alteration of the levels of a portion of Railway No. 4 authorised by the Act of 1894 and for the construction of a new Junction Railway and Works No. 1 which

said railways and works or part thereof will be in and upon the estate of Thomas Arno situate in the Lea Bridge Road and having a frontage to that road to Markhouse Road and to Boundary Road being the same estate as is mentioned in the said agreement of the fourth day of May one thousand eight hundred and ninety-four and delineated on the plans thereto and hereto annexed:

And whereas the said Thomas Arno has presented a petition to the House of Commons against the said Bill but in order to obviate further opposition thereto the parties hereto have agreed to enter into the agreements and stipulations herein-after contained:

Now these presents witness and it is hereby agreed between the Company and the said Thomas Arno his heirs executors administrators and assigns as follows:—

1. This agreement shall be scheduled to and confirmed by the said Bill of 1895 and on the execution of this agreement the said Thomas Arno will abstain from further opposition thereto except so far as may be necessary for securing that the said Improvement Bill of 1895 makes provision for giving effect to the terms of this agreement.
2. Save in so far as the said agreement of May fourth one thousand eight hundred and ninety-four is expressly altered or varied by these presents nothing in these presents shall prejudice or affect any rights or remedies which the said Thomas Arno may have for under or in respect of the terms of the said agreement of May fourth one thousand eight hundred and ninety-four.
3. The said Thomas Arno shall sell and the Company shall purchase (in lieu of the piece of land coloured blue and hatched red on the plan annexed to the said agreement of May fourth one thousand eight hundred and ninety-four) the piece of land coloured blue on the plan hereto annexed but so that the total superficial area of the said piece of land shall not exceed by more than two acres the said piece of land coloured blue and hatched red on the plan annexed to the said agreement of the fourth May one thousand eight hundred and ninety-four.
4. The purchase money for so much of the said piece of land hereby agreed to be sold as is equal in superficial area to the said piece of land coloured blue and hatched red on the plan annexed to the said agreement of the fourth May one thousand eight hundred and ninety-four shall be eighteen thousand pounds and the purchase money for the said additional land to be purchased by the Company shall be calculated at a rate for each acre or part of an acre equal to the rate at which the said piece of land to be purchased for eighteen thousand pounds is sold.
5. The Company shall and will if and when the said purchase is completed and if and when the proposed new roads leading from the point marked A into Boundary and Markhouse Roads as shown on the said plan hereto annexed shall be constructed pay to the said Thomas Arno the cost of the construction paving curbing channeling and sewerage of so much of the said road or roads as is within the dotted black lines at the point A marked on the said plan hereto annexed.

A.D. 1895.

6. If upon a survey of the said piece of land coloured blue on the plan hereto annexed it shall be found to exceed by more than two acres the said piece of land coloured blue and hatched red on the plan annexed to the said agreement of the fourth of May one thousand eight hundred and ninety-four it is hereby agreed and declared that the Company shall not hereunder be bound to purchase any excess beyond two acres and that the portion of the said piece of land which the Company is not bound to purchase as aforesaid shall be so much of the north-eastern end or corner thereof as is equal to the excess beyond two acres.
7. The Company shall out of the piece C D E G F dedicate the portion marked C D K L as and for part of a public road.
8. The Company shall within one year of the completion by them of the purchase of any of the aforesaid land pay to the said Thomas Arno the proportionate part of the tithe rent which shall then have accrued due thereon respectively since the fourth day of May one thousand eight hundred and ninety-four and also the proportionate part of the purchase money and expenses of redeeming the said tithe rent such amounts respectively to be calculated according to the proportion which the total acreage of the land taken by the Company bears to the total acreage of the estate of the said Thomas Arno.
9. The Company shall if and when the purchase is completed pay to the said Thomas Arno in respect of the sum of eighteen thousand pounds being the price of the said piece of land to be substituted under these presents for the land mentioned in clause 1 of the said agreement of the fourth May one thousand eight hundred and ninety-four interest thereon at four pounds per centum per annum from the twenty-fourth day of June one thousand eight hundred and ninety-four until completion of the purchase thereof.
10. The purchase of the said additional land mentioned in clause 4 hereof shall be completed within three months from the commencement of the construction of any portion of any of the railways under the Company's Acts and if not so completed the purchase money thereof shall bear interest at the rate of five pounds per centum per annum until the purchase is completed.
11. The Company shall if and when the purchase is completed pay to the said Thomas Arno in respect of the purchase money of the said additional land mentioned in clause 4 hereof interest at the rate of four pounds per centum per annum from the tenth day of May one thousand eight hundred and ninety-five until completion of the purchase thereof.
12. The Company shall within three months from the commencement of the construction of any of the said railways pay to the said Thomas Arno his costs as between solicitor and client and the surveyor's and engineer's fees incurred by the said Thomas Arno in opposing the said Bill and in relation to the negotiations for and the preparation of this agreement and the carrying out of the same and of and in relation to the sale and conveyance to the Company of the lands to

be taken by them under this agreement which said costs and fees unless the parties shall agree the same shall be taxed by arbitration as herein-after mentioned. A.D. 1895.

13. Nothing herein contained shall preclude or be deemed to preclude the said Thomas Arno from opposing any future application by the Company for any extension of time for the purchase of lands or completion of works or for abandoning their undertaking or any part thereof.
14. Any dispute or difference which may from time to time arise out of or as to the construction of this agreement or the said agreement of fourth May one thousand eight hundred and ninety-four or in relation to any of the matters provided for by any of the said agreements shall be settled by arbitration under the Arbitration Act 1889 or any subsisting statutory modification thereof.
15. This agreement is provisional and only comes into operation in case the Bill of 1895 becomes law. But in case from any reason whatever none of the said railways as authorised or to be authorised shall be constructed then this agreement shall be void and of no effect and neither the said Thomas Arno nor the Company shall have any claim the one against the other in respect thereof or otherwise on account of the premises or against the money paid into court to the credit of the undertaking of the Company in pursuance of the Standing Orders of Parliament.

In witness whereof the said Thomas Arno has hereunto set his hand and seal and the Company have hereunto caused their common seal to be affixed the day and year first above written.

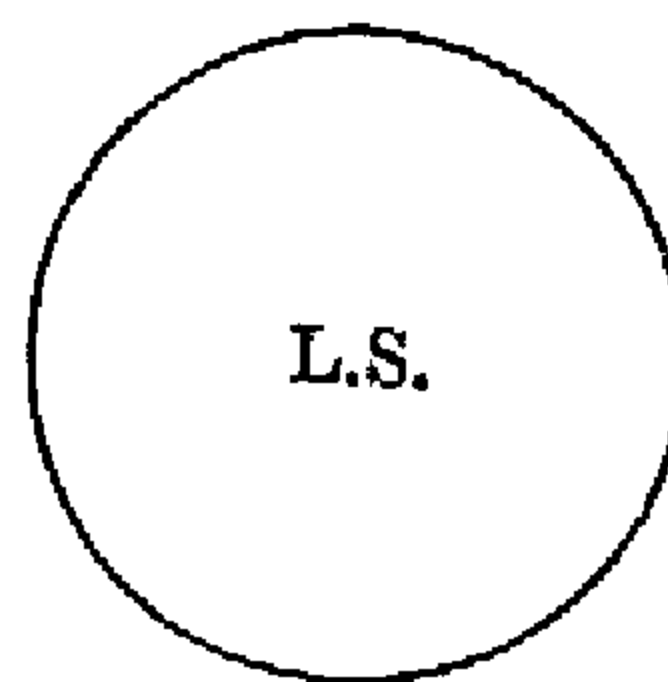
Signed by the said Thomas Arno in the presence of
J. E. BROWN
Solicitor
56 Finsbury Pavement } THOMAS ARNO.

The common seal of the Company was hereunto affixed in the presence of

JAMES HIGHAM }
A. S. ANDREWS } Directors.

Countersigned

C. ALBERT PAINE
Secretary.



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Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 15th inst. in relation to the above mentioned matter.
The same has been referred to the appropriate authorities for their consideration.
I am, Sir, very respectfully,
Yours obediently,
[Signature]

Very truly yours,
[Signature]
[Title]
[Address]

Enclosed for you are the documents mentioned in your letter of the 15th inst.
I am, Sir, very respectfully,
Yours obediently,
[Signature]