



CHAPTER ccviii.

An Act to authorise the Widening of part of the Strand on the south side and the taking of Lands in the Parishes of St. Martin-in-the-Fields and St. Clement Danes and for other purposes. A.D. 1896.
[7th August 1896.]

WHEREAS the widening of the Strand herein-after mentioned would be of public and local advantage :

And whereas portions of Salisbury Street and Cecil Street which have not been already stopped up will be rendered unnecessary by the construction of the said widening and the purchase for the purposes thereof of the property abutting thereon and it is expedient that the same be stopped up :

And whereas an open courtyard with roadways and footways in continuation of the aforesaid streets has been constructed under agreement with the board of works for the Strand district and the vestry of St. Martin-in-the-Fields as well as with parties whose property has been acquired by the Undertakers and will be required for the purposes of the said widening of the Strand :

And whereas the purchase of the aforesaid property and the stopping up of the said streets will render such courtyard roadways and footways unnecessary and it is expedient that powers be conferred on the Undertakers to stop up and discontinue the same and to utilise the site thereof :

And whereas the Undertakers herein-after named are willing to execute the necessary works for the widening of the said street on being authorised to acquire the lands buildings and property in the neighbourhood thereof and upon the other powers in this Act set forth being granted :

And whereas a plan and section showing the lines and levels of the works authorised by this Act the plan showing also the lands which may be compulsorily taken under the powers of this Act and a book of reference to such plan containing the names of the owners and lessees or reputed owners and lessees and of the

A.D. 1896.

occupiers of such lands were duly deposited with the clerk of the peace for the county of London and are herein-after respectively referred to as the deposited plan section 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 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 Strand Improvement Act 1896.

Incorporation of general Acts.

2. The Lands Clauses Acts (except where expressly varied by or excepted from or inconsistent with this Act) are incorporated with and form part of this Act.

Interpretation of terms.

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

The expression "the Undertakers" means the United Realization Company Limited and their successors and assigns :

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

The expression "the board" means the board of works for the Strand district :

The expression "the vestry" means the vestry of the parish of St. Martin-in-the-Fields :

The word "street" includes streets squares courts lanes alleys highways roadways thoroughfares and other public passages or places :

The expressions "the works" and "the undertaking" mean respectively the works and the undertaking by this Act authorised :

And for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or 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.

Power to take lands and execute works.

4. Subject to the provisions of this Act the Undertakers may enter upon take and use the lands delineated on the deposited plan and described in the deposited book of reference or any of them or any part or parts thereof respectively and shall make in the lines

and according to the levels shown on the deposited plan and section a widening of the Strand on the south side between the west side of Ivy Bridge Lane and the west side of the archway over Carting Lane: A.D. 1896.

Provided that notwithstanding anything shown on the said deposited plan and section the widening shall be effected in accordance with the plan signed by the Right Honourable Robert Bourke Lord Connemara the Chairman of the Committee of the House of Lords to whom the Bill for this Act was during its progress through Parliament referred and deposited in the Parliament Office (which plan is herein-after referred to as "the signed plan") and so as to leave a clear width of eighty feet for roadway and footway between the points marked A B and C D on the signed plan and in accordance with the notes on the said plan.

The Undertakers shall within three years from the passing of this Act complete the said widening and acquire all such rights and interests in over and affecting the land coloured red on the signed plan as will admit of the same being vested in the council to be used as part of the thoroughfare and shall dedicate to the public the land necessary for the widening of the Strand to the extent aforesaid as coloured on the signed plan and the said land shall thereupon vest in the council and be thrown into and form part of the public thoroughfare and the council shall when and so soon as the said lands become vested in them and the said widening completed under the provisions of this Act pay to the Undertakers the sum of thirty thousand pounds and so much of the sites of Cecil Street Salisbury Street and Ivy Bridge Lane as is situate north of the line of widening shown on the said signed plan shall also be vested in the council and shall form part of the roadway or footway of the Strand.

The Undertakers may make an access for carriages and foot passengers from the Strand to their property southward of the said line of widening by an arched roadway constructed on the Strand level through any buildings erected by them on any property acquired or hereafter acquired by them at or near the point marked E on the said signed plan and the plans of the proposed access where it will cross the footway of the Strand shall be submitted to the council for their reasonable approval before the same is commenced.

The Undertakers shall be at liberty to construct cellarage beneath the foot pavement on the south side of the Strand as so widened in such manner as may be approved by the council and the vestry of the parish or board of works of the district as the case may be in which the said pavement will be situate.

A.D. 1896.

The Undertakers on the one hand and the council on the other hand may enter into and carry into effect any agreement with respect to the making of the street widening by this Act authorised and the execution of the necessary works connected therewith by the council instead of by the Undertakers.

Power to stop up and discontinue certain streets and passages.

5. Subject to the provisions of this Act the Undertakers may when they shall have acquired the property on both sides of Salisbury Street and Cecil Street stop up and discontinue those streets for public use and at any time thereafter may stop up the roadways and footways or courtyard in part constructed in continuation of those streets numbered respectively on the deposited plans 11 in the parish of St. Clement Danes and 14 16 and 19 in the parish of St. Martin-in-the-Fields and upon the stopping up or discontinuance thereof respectively the sites and soils of the streets and roadways footways and courtyard stopped up (except such parts of Salisbury Street and Cecil Street as are under the foregoing provisions of this Act to be thrown into and form part of the Strand) shall vest in the Undertakers freed and discharged from all public and private rights over or affecting the same and the same may be appropriated and used and built upon by the Undertakers freed from all obligation to keep the site of the said courtyard roadways and footways as an open space free and open to the sky and unbuilt upon or to maintain the said roadways and footways.

Certain properties to be purchased by agreement only.

6. Notwithstanding anything in this Act contained or shown on the deposited plans the Undertakers shall not under the powers of this Act purchase or acquire the properties numbered respectively on the deposited plans 1 and 3 in the parish of St. Clement Danes or either of them.

Period for compulsory purchase of lands.

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

Power to take easements &c. by agreement.

8. 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 Undertakers 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.

Period for completion of works.

9. If the street widening by this Act authorised and shown on the deposited plan and section is not completed within three years

from the passing of this Act then on the expiration of that period the powers by this Act granted to the Undertakers for making and completing the same or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

A.D. 1896.

10. The Undertakers during the making of the works by this Act authorised may in or upon the lands shown upon the deposited plan and with the consent of the council and of the board as regards streets situate within the parish of St. Clement Danes and of the vestry as regards streets situate in the parish of St. Martin-in-the-Fields and according to such regulations (if any) as the council and board or vestry as the case may be or either of them may prescribe stop up or cause to be temporarily stopped up all or any part of the carriageways or footways of streets which they shall think necessary for the purposes of this Act to be so stopped up and for that purpose may put or cause to be put up sufficient palisades bars posts and other erections and the council may from time to time make such orders for regulating the passage of horses carts and carriages as to them shall seem proper.

Power to stop up ways during execution of Act.

11. Subject to the provisions of this Act in making any of the works for or connected with the works by this Act authorised the Undertakers may deviate to any extent not exceeding two feet from the levels thereof defined on the deposited section and may deviate from the lines thereof within the limits of deviation defined on the deposited plan but so that no part of the work shall be constructed beyond such limits.

Power to deviate from levels &c.

12. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plan the Undertakers in connexion with the works and as part and for the purposes thereof may make junctions and communications with any existing streets interfered with by or contiguous to the works and may make alterations of the levels of any existing streets for the purpose of connecting the same with the works and may remove alter or interfere with any sewer or drain or telegraphic or telephonic apparatus the Undertakers providing a proper substitute before interrupting the flow of sewage in any sewer or drain and making compensation to all persons injuriously affected by the alteration of level or interference with any street or any premises or property :

Power to make subsidiary works.

Provided that the Undertakers shall not remove alter or interfere with any telegraphic or telephonic apparatus belonging to or used by Her Majesty's Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

13. The Undertakers shall not under the powers of this Act purchase or acquire in any parish twenty or more houses which on the fifteenth day of December last were occupied either wholly or

Restriction on taking houses of labouring class.

A.D. 1896.

partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary of State for the Home Department twenty or more such houses which have been or shall be subsequently so occupied.

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.

For pro-
tion of
sewers.

14. Where the street widening or any works connected therewith to be done under or by virtue of this Act shall interfere with any sewer drain watercourse defence or work under the jurisdiction or control of the council or of the board or vestry or with any sewers or works to be made or executed by the said council board or vestry or any of them or shall or may in any way affect the sewerage or drainage of the districts under their or any of their control the Undertakers shall not commence such works until they shall have given the council board or vestry as the case may be twenty-eight days previous notice in writing of their intention to commence the same by leaving such notice at the principal office for the time being of such council board or vestry with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and until such council board or vestry as the case may be shall have signified their approval of the same (unless such council board or vestry do not signify their approval disapproval or other directions within twenty-eight days after service of the said plan section and particulars as aforesaid) and the Undertakers shall comply with and conform to all orders directions and regulations of the council board or vestry as the case may be in the execution of the said works and shall provide by new altered or substituted works in such manner as such council board or vestry respectively shall reasonably require for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by reason of the said intended works or any part thereof and shall save harmless the said council board or vestry respectively against all and every the expense to be occasioned thereby and all such works shall be done by or under the direction superintendence and control of the engineer or other officer or officers of the council board or vestry as the case may be at the costs charges and expenses in all respects of the Undertakers and all costs charges and expenses which the council board or vestry may be put to by reason of such works of the Undertakers whether in the execution of works the preparation or examination of plans or designs superintendence

or otherwise shall be paid to such council board or vestry by the Undertakers on demand and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the cost charges or expenses of the Undertakers under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the council board or vestry as the case may be respectively as any sewers or works now or hereafter may be.

A.D. 1896.

15. One month before commencing the execution of the street widening by this Act authorised the Undertakers shall submit to the board and the vestry plans sections and other necessary particulars of such portion of the street widening as is situate within their respective districts and describing the nature of the paving and other materials to be used therein and all such street works shall be made and completed paved flagged sewered channelled and kerbed in such manner and with such materials as shall be reasonably approved by the board or vestry as the case may be and the lamp posts and other arrangements for lighting the same shall be subject to the like approval.

Works to be subject to approval of board and vestry.

16. Subject to the provisions of this Act the Undertakers may for any purpose in connexion with the works by this Act authorised upon the lands acquired by them under the powers of this Act and also in any street within the limits of deviation defined upon the deposited plan raise sink or otherwise alter the position of any water pipes or gas pipes belonging to or connected with any house or building adjoining or near to the works and also any main or other pipe laid down or used by any company for carrying a supply of water or gas and may remove any such pipes or mains which may become unnecessary by reason of the exercise of the powers of this Act or any other obstruction making in case of alteration proper substituted works in the meantime and causing as little detriment and inconvenience as circumstances admit to any company person or body and making reasonable compensation to any company person or body who suffers damage by any such alteration. Provided always that before the Undertakers alter the position of any main or other pipe laid down or used by any such company or body they shall give to the company or body to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given three days at least before the commencement of the work for effecting such alteration and such work shall be done under the superintendence (at the expense of the Undertakers) of the company or body to whom such pipe belongs unless such company or body refuses or neglects to give such superintendence at the time specified

As to alteration of position of water and gas pipes.

A.D. 1896. — in the notice for the commencement or discontinues the same during the work and the Undertakers shall execute such work to the reasonable satisfaction of the engineer of such company or body Provided also that the Undertakers shall not cause any street to be lowered or raised or the position of any water or gas pipes to be altered so as to leave over such pipes in any street a covering of less than two feet six inches (unless the Undertakers shall in such case protect the same pipes from frost or injury by artificial covering to the satisfaction of the engineer of such company or body) or more than six feet unless a referee to be appointed by the Board of Trade at the expense of the Undertakers on the application of either party in case of dispute shall consider that the pipes should be carried to a greater depth for the purpose of avoiding interference with the works to be executed under this Act and in such case the pipe shall be altered in such manner and such works shall be made at the expense of the Undertakers in such manner as the referee may prescribe.

For protection of the Gas Light and Coke Company.

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

(A) Whereas in the execution of the street widening by this Act authorised the mains pipes syphons and other works belonging to the gas company may be intersected or otherwise interfered with and it is expedient that the gas company shall have full control over the execution of all works in any way affecting the supply by them of gas so as effectually to provide against the supply thereof being impeded Therefore all alterations which under the provisions of this Act the Undertakers may be empowered to execute of the mains pipes syphons or other works of the gas company shall be done and executed by the gas company but at the cost of and to the reasonable satisfaction and under the direction of and in such manner as shall be required by the engineer for the time being of the Undertakers and no works matters or other things which shall intersect or otherwise interfere with the mains pipes syphons and other works of the gas company shall be commenced until after fourteen days previous notice thereof in writing shall have been given to the gas company The Undertakers shall not more than forty-eight hours and not less than twenty-four hours before the execution of such alterations is required to be commenced serve a notification upon the gas company stating the alterations required and time when such alterations are required to be commenced Upon receipt of any such notification as last aforesaid the gas company shall proceed to execute and

complete with all reasonable despatch such alterations as required by the Undertakers. If the gas company for twenty-four hours after the time when any such alterations are required to be commenced neglect to comply with such notification or fail at any time to proceed with such alterations with all reasonable despatch the Undertakers may themselves proceed to execute such alterations :

- (B) And whereas there are divers mains pipes syphons and other apparatus belonging to the gas company in divers streets highways roads footpaths lanes courts passages and other places within the limits shown on the deposited plans which are now used by the gas company for supplying gas to the streets highways roads footpaths lanes courts passages and other places as aforesaid and such streets or other places or some of them will or may be done away with under the powers of this Act. Therefore when the Undertakers for any purposes of this Act take any of those mains pipes syphons or other apparatus which belong to the gas company they shall pay to the gas company the value thereof and the same shall thereupon become the property of the Undertakers and the Undertakers shall also pay to the gas company their reasonable charges of removing or altering any of the mains pipes syphons or other apparatus in immediate communication therewith which the works of the Undertakers shall render useless or which shall require to be altered :
- (c) If any interruption whatsoever in the supply of gas by the gas company or any loss of gas shall be in any way occasioned or sustained by any act or omission of the Undertakers or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them in the execution of the street widening and works by this Act authorised the Undertakers shall forfeit and pay to the gas company for such interruption for the use and benefit of the gas company the sum of ten pounds for every hour during which such interruption shall continue and in addition shall pay to the gas company the value of the gas so lost such sum or sums of money to be recovered by the gas company in any court of competent jurisdiction and the Undertakers shall also be responsible for and make good to the gas company all costs losses damages and expenses which may be occasioned to the gas company (including injury and loss by explosion) through by reason of or consequent on any such act or omission of the Undertakers or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ

A.D. 1896.

of their contractors or others and the Undertakers will effectually indemnify and hold harmless the gas company from all claims and demands upon or against them by reason of any such act or omission :

- (D) The Undertakers shall make good all damage done by them to property belonging to or controlled by the gas company and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property or with the private service pipes of any person supplied by the gas company with gas :
- (E) Any difference arising between the Undertakers and the gas company respecting any of the matters referred to in this enactment shall be settled at the request of either party by an engineer to be appointed by the President for the time being of the Institute of Civil Engineers and the cost and expenses attending any such reference shall be borne and paid as he may direct.

For protec-
tion of
Metropolitan
Electric
Supply
Company
Limited.

18. Before the Undertakers in the construction of the street widening by this Act authorised alter remove or interfere with any mains pipes tubes wires or other works (herein-after called "apparatus") of the Metropolitan Electric Supply Company Limited (in this section referred to as "the protected company") the Undertakers shall give to the protected company fourteen days notice in writing of their intention to do so specifying the time at which they propose to commence such works.

Such works shall be done under the superintendence (at the expense of the Undertakers) of the protected company unless the protected company refuses or neglects to give such superintendence at the time specified in such notice or discontinues the same during the work and the Undertakers shall execute such works in all respects to the satisfaction of the engineer of the protected company.

Unless before the Undertakers interfere with such apparatus they have substituted other similar apparatus to the reasonable satisfaction of the engineer of the protected company the Undertakers shall to such satisfaction construct proper temporary works for preventing any interruption in the supply of electric energy by the protected company during such removal alteration or interference.

If the protected company by notice in writing to the Undertakers within seven days after the receipt by them of notice of intended removal alteration or interference with their apparatus by the Undertakers so require the protected company may by their own

engineer and workmen do and execute such works of removal and alteration as may be necessary and the Undertakers shall on the completion thereof pay to the protected company the reasonable expense incurred by them in the execution of such works to be recovered against the Undertakers in any court of competent jurisdiction.

If any difference shall arise between the Undertakers and the protected company as to the reasonableness of any requirement of the protected company or as to the necessity for any substituted work or for any works executed or proposed to be executed by the protected company or the reasonableness of any expenses incurred by them in connexion with any of such works as herein-before provided or otherwise as to anything to be done under this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade and the costs of such arbitration shall be borne and paid as the arbitrator shall direct.

19. Before the Undertakers in the construction of the street widening by this Act authorised alter remove or interfere with any mains pipes tubes wires or other works (in this section called "apparatus") of the London Electric Supply Corporation Limited (herein-after referred to as "the protected company") the Undertakers shall give to the protected company fourteen days' notice in writing of their intention to do so specifying the time at which they propose to commence such works and giving all necessary details as to the alteration proposed.

For protection of London Electric Supply Corporation Limited.

If the protected company shall within seven days after the receipt by them of notice of the intended works of removal or alteration serve on the Undertakers notice in writing objecting to such works the question thus raised shall in default of agreement be settled by arbitration as herein-after mentioned and pending such settlement such works shall not be proceeded with.

Such works of removal or alteration shall be done (subject always to such objection and to the result of any agreement or arbitration ensuing thereon) under the superintendence (at the expense of the Undertakers) of the protected company unless the protected company refuses or neglects to give such superintendence at the time specified in such notice or discontinues the same during the work and the Undertakers shall execute such works subject as aforesaid in all respects to the satisfaction of the engineer of the protected company.

Unless before the Undertakers interfere with such apparatus they have substituted other similar apparatus to the reasonable satisfaction of the engineer of the protected company the

A.D. 1896. Undertakers shall to such satisfaction construct proper temporary works for preventing any interruption in the supply of electric energy by the protected company during such removal alteration or interference.

If the protected company by notice in writing to the Undertakers within seven days after the receipt by them of notice of intended removal alteration or interference with their apparatus by the Undertakers so require the protected company may by their own engineer and workmen do and execute such works of removal and alteration as may be necessary and the Undertakers shall on the completion thereof pay to the protected company the reasonable expense incurred by them in the execution of such works to be recovered against the Undertakers in any court of competent jurisdiction.

If any difference shall arise between the Undertakers and the protected company as to the reasonableness of any requirement of the protected company or as to the necessity for any substituted work or for any works executed or proposed to be executed by the protected company or the reasonableness of any expenses incurred by them in connection with any of such works as herein-before provided or otherwise as to anything to be done under this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Board of Trade and the costs of such arbitration shall be borne and paid as the arbitrator shall direct.

Dedication of widened street &c. to the public and repair and maintenance thereof.

20. So soon as the street widening by this Act authorised shall have been completed with proper paved flagged or asphalted and kerbed footpaths or sideways channels sewers gullies or other necessary works to the satisfaction in the case of the part of such widening which is situate within the parish of St. Clement Danes of the board and in the case of the part of such widening which is situate in the parish of St. Martin-in-the-Fields of the vestry the Undertakers may and shall open and dedicate the same to the public and thereafter they shall be used by the public accordingly and the same and the sole power authority liability and duty of maintaining paving repairing cleansing painting and lighting the same shall be vested in the board and vestry respectively.

Errors and omissions in plans &c. to be corrected by magistrate who shall certify the same.

21. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plan or specified in the deposited book of reference the Undertakers may after ten days notice to the owners lessees and occupiers of the lands in question apply to a metropolitan stipendiary magistrate for the correction thereof and if it appear to such magistrate that the omission misstatement or wrong

A.D. 1896.

description arose from mistake he shall certify the same accordingly and shall in such certificate state the particulars of any such omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county of London and such certificate shall be kept by such clerk of the peace along with the other documents to which the same relates and thereupon the deposited plan and book of reference shall be deemed to be corrected according to such certificate and the Undertakers may take the lands and execute the works in accordance with such certificate.

22. Nothing in this Act shall be deemed to exempt the Undertakers or any grantee or lessee of the Undertakers or any buildings on the lands referred to in this Act from any of the provisions of the Metropolis Management Acts for the time being in force or from any of the provisions of the London Building Act 1894.

Undertakers not exempt from provisions of the London Building Act.

23. Nothing in this Act or in any Act incorporated herewith shall be construed to prevent the Undertakers from selling any of the land acquired by them under this Act and not required for the purposes of the street widening by this Act authorised or from demising such land on lease or otherwise disposing of the same as they think fit.

Power of sale and lease not to be restricted.

24. Nothing in this Act shall authorise the Undertakers to take use or interfere with the roadway numbered on the deposited plans 28 in the parish of St. Martin-in-the-Fields and if the Undertakers acquire any part of Ivy Bridge Lane or of the property abutting on the eastern side thereof which is subject to the covenants and agreements contained in an indenture made the twenty-second day of August one thousand eight hundred and ninety between J. W. Hobbs and Company Limited of the one part and George James Drummond of Charing Cross in the county of Middlesex Esquire of the other part and in another indenture supplemental thereto made the sixth day of June one thousand eight hundred and ninety-four between the said J. W. Hobbs and Company Limited of the first part the Scottish Amicable Life Assurance Society the City of Glasgow Life Assurance Company and Seton Thomson of Golfhill Glasgow Robert Barclay of 21 Park Terrace Glasgow and Frederick Fairlie Elderton of 28A Renfield Street Glasgow of the second part the Debenture Corporation Limited (trustees for the debenture holders of the company) of the third part and the said George James Drummond of the fourth part nothing in this Act shall authorise the Undertakers to erect or alter any buildings on such property or do any act affecting such

Saving rights of George James Drummond.

A.D. 1896. — property or lane otherwise than subject to and in accordance with the terms of the said indentures and the Undertakers as the owners of the said property shall be subject to and entitled to the benefit of all covenants and agreements in the said indentures contained in like manner as if such covenants and agreements so far as they affect the property so acquired or the owners thereof and the said lane had been entered into by and with the Undertakers instead of by and with J. W. Hobbs and Company Limited.

Costs of Act. **25.** All costs charges and expenses of and preliminary and incidental to the preparing for obtaining and passing this Act and otherwise in relation thereto shall be paid by the Undertakers out of their funds for the time being and it shall be lawful for the Undertakers to apply any such funds in or towards all or any of the purposes of this Act.

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