

[2EDW. 7.] *Great Northern and Strand Railway* [Ch. ccxxxv.]
Act, 1902.



CHAPTER ccxxxv.

An Act to authorise the alteration of the railways of A.D. 1902.
the Great Northern and Strand Railway Company and
the transfer of their undertaking and powers to the
Brompton and Piccadilly Circus Railway Company and
for other purposes. [8th August 1902.]

WHEREAS by the Great Northern and Strand Railway Act 1899 (hereinafter called "the Act of 1899") the Great Northern and Strand Railway Company (hereinafter called "the Company") were incorporated and authorised to make the underground railways more particularly described in that Act from the parish of Wood Green in the county of Middlesex to the parish of St. Clement Danes in the administrative county of London :

And whereas it is expedient that the construction of the deviation railway hereinafter described in part by the Company and in part by the Great Northern Railway Company (hereinafter called "the Great Northern Company") be sanctioned :

And whereas by the Act of 1899 the period limited for the compulsory purchase of lands for and for the construction of the Railways Nos. 2 and 3 thereby authorised were respectively limited to three years and five years from the date of the passing of that Act which received the Royal Assent on the first day of August one thousand eight hundred and ninety-nine and it is expedient that the periods so limited be extended :

And whereas it is expedient that the Company and the Great Northern Company be authorised to apply to the purposes of this Act to be executed by them respectively any moneys which they respectively are or may be authorised to raise and that the Company be authorised to acquire additional lands for the purposes of the Act of 1899 and that the other powers hereinafter contained be conferred upon the Company and the Great Northern Company :

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And whereas by the Brompton and Piccadilly Circus Railway Act 1897 the Brompton and Piccadilly Circus Railway Company (hereinafter called "the Brompton Company") were incorporated and authorised to construct an underground railway between Piccadilly Circus and South Kensington in the county of London of a type similar to the railways authorised by the Act of 1899 :

And whereas by subsequent Acts powers were conferred upon the Brompton Company of connecting their railway with the Metropolitan District Railway and by the Bill now pending in Parliament entitled "Brompton and Piccadilly Circus Railway (New Lines and Extensions)" (and hereinafter referred to as "the Brompton Bill") the Brompton Company seek for power to extend their said railways from Piccadilly Circus to a junction with the Railway No. 4 authorised by the Act of 1899 :

And whereas it would increase the utility of the undertakings of the Company and of the Brompton Company if the same were worked as one undertaking from Finsbury Park to South Kensington and it is expedient that in the event of the aforesaid connection being sanctioned the powers conferred upon the Company by the Act of 1899 as amended by this Act and this Act be transferred to and vested in the Brompton Company :

And whereas it is expedient that the Great Northern Company be authorised to lease to the Company or to the Brompton Company the portion of the deviation railway and works which by this Act they are authorised to construct and maintain and that provision be made with respect to the working of the system of underground railways from Finsbury Park to South Kensington and the Strand and that the railway and portion of railway authorised by the Act of 1899 and hereinafter in that behalf mentioned be abandoned and the powers to construct the same conferred by the Act of 1899 be repealed :

And whereas by section 71 of the Act of 1899 it was provided that the sum of one hundred and three thousand four hundred and sixty-seven pounds five shillings and five pence two and three quarters per cent. consolidated stock being equal in value to five per centum on the amount of the estimate in respect of the railways by that Act authorised which had been deposited with the Paymaster-General for and on behalf of the Supreme Court in respect of the application to Parliament for that Act (hereinafter referred to as "the deposit fund of 1899") should not be paid or transferred to or on the application of the depositors thereof unless the Company should previously to the expiration of the period limited by that

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Act for the completion of the railways thereby authorised open the same for the public conveyance of passengers : A D. 1902.

And whereas the estimate for the railway and portion of railway by this Act required to be abandoned amounts to eight hundred and sixty-six thousand two hundred and four pounds and the estimate for the running section of deviation railway by this Act authorised to be constructed by the Company amounts to fifty thousand pounds and it is expedient that the sum of two thousand two hundred and sixty-one pounds two and three quarters per cent. consolidated stock of the deposit fund of 1899 representing at the price at which the same was purchased five per centum on the said sum of fifty thousand pounds (hereinafter referred to as "the impounded fund") remain as security for the completion of the said running section of deviation railway and that the sum of thirty-six thousand nine hundred and eleven pounds two and three quarters per cent. consolidated stock out of the deposit fund of 1899 (representing at the price at which the same was purchased five per centum upon the sum of eight hundred and sixteen thousand two hundred and four pounds by which the estimate for the railway and portion of railway by this Act authorised to be abandoned exceeds the estimate for the running section of deviation railway by this Act authorised) be returned as hereinafter provided :

And whereas it is expedient that the Company or the Brompton Company as the case may be be authorised to enter into and carry into effect agreements with the Metropolitan District Railway Company (hereinafter called "the District Company") and the Underground Electric Railways Company of London Limited as hereinafter provided :

And whereas plans and sections showing the lines and levels of the railway authorised by this Act and books 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 respective clerks of the peace for the counties of London and Middlesex and are hereinafter respectively referred to as the deposited plans sections and books of reference :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and

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A.D. 1902. 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 Great Northern and Strand
Railway Act 1902.

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

The Lands Clauses Acts:

The provisions of the Railways Clauses Consolidation Act 1845
with respect to the following matters or contained in the
following sections thereof (that is to say):—

The construction of the railway and the works connected
therewith;

The carrying of passengers and goods upon the railway and
the tolls to be taken thereon;

The regulating of the use of the railway;

The settlement of disputes by arbitration;

Section 138 (As to service of notices);

The recovery of damages not specially provided for and of
penalties and the determination of any other matter
referred to justices;

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

And Part II. (relating to extension of time) of the Railways
Clauses Act 1863.

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 some-
thing in the subject or context repugnant to such construction:

The expression "the deviation railway" means the deviation
railway by this Act authorised;

The expression "running section of deviation railway" means
so much of the deviation railway as lies between its com-
mencement and the northern side of Seven Sisters Road and
the expression "station section of deviation railway" means
so much of the deviation railway as lies to the northward of
Seven Sisters Road together with all works connected therewith
respectively;

The expression "the constructing company" means (A) if the
event happens upon which the powers of the Company are
transferred to the Brompton Company by virtue of this Act

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“the Brompton Company” or (B) if such event does not A.D. 1902.
happen “the Company”;

The expression “the Traction Company” means the Underground
Electric Railways Company of London Limited;

The expression “the London Council” means the London
County Council;

The expressions “parish clerks” and “clerks of the several
parishes” in sections 7 8 and 9 of the Railways Clauses
Consolidation Act 1845 shall as regards the administrative
county of London mean the town clerks of the metropolitan
boroughs;

The expression “the Brompton Railway” means the railways
authorised by the Brompton and Piccadilly Circus Railway
Act 1897 and the Brompton and Piccadilly Circus Railway
(Extensions) Act 1899 and the works connected therewith
respectively.

4. Subject to the provisions of this Act and in the lines and according to the levels shown on the deposited plans and sections the Company may make and maintain the running section of the deviation railway hereinafter described and the Great Northern Company may make and maintain the station section of the said deviation railway with all necessary and convenient rails sidings wires tunnels subways stations platforms shafts lifts sewers drains pipes approaches stairs passages buildings and other machinery apparatus works and conveniences connected therewith respectively and the Company as regards the running section of deviation railway and the Great Northern Company as regards the station section of deviation railway may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference in connection with such works respectively as may be required for the purposes thereof:

Power to
make rail-
way.

Provided always that nothing in this Act shall authorise the Company or the Great Northern Company to enter upon take or use the surface of any public street or road (except for the purpose of trial borings) but the Company and the Great Northern Company respectively may subject to the provisions of this Act enter upon take and use the subsoil and under-surface of any public street road or footway shown on the deposited plans and described in the deposited books of reference or so much thereof as shall be necessary for the purposes aforesaid.

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Description
of railway.

5. The railway hereinbefore referred to and authorised by this Act is as follows :—

A deviation railway (four furlongs and 7·40 chains or thereabouts in length) commencing in the parish and metropolitan borough of Islington in the county of London by a junction with the Railway No. 2 authorised by the Act of 1899 and terminating in the parish and urban district of Hornsey in the county of Middlesex at a point about thirty-one yards west of the centre of the main lines of the Great Northern Railway measured from a point thereon about three hundred and fifteen yards measured in a northerly direction along the said main lines from the north side of Stroud Green Road.

Power to
deviate
vertically.

6. In the execution of the works by this Act authorised but subject to the provisions of this Act the Company and the Great Northern Company may deviate vertically from the levels thereof marked on the deposited sections to such an extent as may be found necessary or convenient. Provided always that the railway where situate beneath any street shall be constructed at a depth below the surface not less than twenty-five feet measured from the surface of the street to the extreme top of the tunnel excepting where the railway will pass under the following roads or streets namely Stroud Green Road Wells Road and Seven Sisters Road.

For pro-
tection of
North
Metropoli-
tan Tram-
ways Com-
pany.

7. The following provisions for the protection of the North Metropolitan Tramways Company (in this section called "the Tramways Company") shall be observed and carried into effect (that is to say) :—

(1) The works by this Act authorised beneath or immediately adjoining the tramways leased to the Tramways Company shall be constructed and maintained so that the traffic upon such tramways or any of them shall not be obstructed or interfered with :

(2) The Company shall from time to time be responsible for and make good to the Tramways Company all costs losses damages and expenses from time to time occasioned to the Tramways Company or any of their works or property from the obstruction of or interference with the traffic on the tramways leased to the Tramways Company either as now laid down or as diverted and from any damage to the works rolling stock and horses of the Tramways Company by reason of any failure of any of the works by this Act authorised or from any act or

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omission of the Company or any of the persons in their employ or their contractors or others and the Company shall effectually indemnify and hold harmless the Tramways Company from all claims and demands upon or against them by reason of any such failure or of any such act or omission :

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(3) If any difference shall arise between the Company and the Tramways Company as to anything to be done or not to be done or any moneys to be paid under the provisions of this section the same shall be referred to and determined by an engineer to be agreed on between the Company and the Tramways Company or if they cannot agree to be appointed on the application of either of them by the Board of Trade :

(4) The foregoing provisions of this section shall enure to the benefit of the London Council on the termination of the lease of the said tramways from the London Council to the Tramways Company bearing date the fourteenth day of October one thousand eight hundred and ninety-seven.

8. The works by this Act authorised beneath or immediately adjoining the tramways of the London Council in Seven Sisters Road shall be constructed in accordance with plans sections and specifications to be previously submitted to and reasonably approved by the engineer of the London Council Provided that if within one month from the date of such submission such engineer fail to signify his approval or disapproval of such plans sections and specifications he shall be deemed to have approved the same and any difference which may arise between the Company and the London Council under this section shall be determined by an arbitrator to be appointed failing agreement on the application of either party by the Board of Trade.

For protection of London Council's tramways.

9. For the protection of the mayor aldermen and councillors of the metropolitan borough of Islington (in this section called "the borough council" and "the borough" respectively) the following provisions shall in the execution of the works by this Act authorised apply and have effect:—

For protection of borough council of Islington.

(1) Section 65 of the Act of 1899 shall not extend or apply to or in the case of the borough council or any sewer drain or work under their jurisdiction and control but where any works to be done by the Company or the Great Northern Company as the case may be by virtue of this Act shall or may pass over or under so as to interfere with any sewer drain or work under the jurisdiction or control of the borough council or any sewers

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or works to be made or executed by the borough council or shall or may in any way affect the sewerage or drainage of the borough the Company or the Great Northern Company as the case may be shall not commence such works until they shall have given to the borough council twenty-eight clear days previous notice in writing of their intention to commence the same by leaving such notice at the principal office of the borough council for the time being with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto and if the borough council signify their disapproval of such plan and section or particulars within twenty-eight days after the service of the said plan section and particulars as aforesaid the Company or the Great Northern Company as the case may be shall not except with the consent of the borough council commence nor execute any such works unless and until a plan and section thereof shall have been approved by an engineer to be appointed by the Board of Trade on the application of either party and the Company or the Great Northern Company as the case may be shall comply with and conform to all directions of such engineer in the execution of the said works and shall save harmless the borough council against all and every the expense to be occasioned thereby and all such works shall be done under the direction superintendence and control of the engineer or other officer or officers of the borough council at the costs charges and expenses in all respects of the Company or the Great Northern Company as the case may be and all reasonable costs charges and expenses occasioned by reason of the works by this Act authorised shall be paid by the Company or the Great Northern Company as the case may be on demand and if any dispute shall arise as to the amount of such costs charges and expenses the same shall be settled by a referee to be appointed by the Board of Trade and be a debt due from the Company or the Great Northern Company as the case may be to the borough council and if and when any new altered or reconstructed works in substitution for any sewers or works vested in the borough council shall be completed by or at the costs charges or expenses of the Company or the Great Northern Company as the case may be under the provisions of this Act the same shall thereafter be as fully and completely under the direction jurisdiction and control of the borough council as any sewers or works now or hereafter may be :

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- (2) It shall be lawful for the engineer or other officer of the borough council duly appointed for the purpose by the said engineer upon giving to the Company or the Great Northern Company as the case may be not less than three days previous notice in writing to that effect at all reasonable times to enter upon and inspect any works constructed under this Act under or in the neighbourhood of any street or part of a street vested in the borough council in or under which there are or may be any sewers or works of the borough council :
- (3) Nothing in this Act contained shall interfere with the powers of the borough council as they shall from time to time think fit to construct sewers and drains or to repair or to inspect any sewer or drain or to make any connection or communication therewith but every such work shall be carried out so as not to cause any interference with or any injury or damage to any of the works of the Company or the Great Northern Company as the case may be :
- (4) The Company or the Great Northern Company as the case may be shall not deposit any subsoil or materials within the borough so as to cause any nuisance or obstruction to any persons or vehicles lawfully using the roads or footways vested in the borough council :
- (5) The Company or the Great Northern Company as the case may be shall from time to time make good all damage done by them to any roads vested in the borough council and in the event of the Company or the Great Northern Company as the case may be failing so to do the borough council or their engineer shall be at liberty to make good any such damage and the Company or the Great Northern Company as the case may be shall repay to the borough council all charges and expenses incurred in so doing :
- (6) All tunnels arches and other works where constructed under Seven Sisters Road or Stroud Green Road or Wells Terrace shall be constructed and maintained by the Company or the Great Northern Company as the case may be in such manner as at all times to support not only the ordinary traffic but also any steam roller of reasonable weight which the borough council may use for repairing the streets under their control and the Company or the Great Northern Company as the case may be shall indemnify and make good to the borough council all costs and expenses which the borough council may incur or be put to by reason of any defect or insufficiency of strength

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in such tunnels arches or works or any neglect to properly and efficiently maintain the same as aforesaid :

(7) The Company or the Great Northern Company as the case may be shall make full compensation to the borough council for any damage to or subsidence of any sewer drain or work under the jurisdiction or control of the borough council in or under any street road or footway vested in the borough council in or under which the railway by this Act authorised may be constructed which may be caused by or in consequence of the act or default of the Company or the Great Northern Company as the case may be their contractors servants or agents and whether such damage or subsidence shall happen during the construction of such railways or works or at any time thereafter :

(8) The Company or the Great Northern Company as the case may be shall so construct the railway under Seven Sisters Road Stroud Green Road and Wells Terrace that no part of any tunnel or work connected with such railway shall be at a less depth than fifteen feet below the carriageway of the said Seven Sisters Road and Wells Terrace for a width of seven feet six inches on each side of the centre line of the existing sewer in those roads or a less depth than eighteen inches below the upper surface of the invert of the existing sewer in Stroud Green Road :

(9) If any difference shall arise between the borough council and the Company or the Great Northern Company as the case may be touching this section or anything to be done or not to be done thereunder the same shall be referred to an engineer to be appointed by the Board of Trade on the application of either party after notice to the other.

Application
of provisions
of Act of
1899.

10. The sections of the Act of 1899 which are enumerated and referred to in the Schedule to this Act as varied by this Act shall extend and apply to the deviation railway and works connected therewith by this Act authorised and to the roads under along and across which the same are to be made and to the several bodies or persons named or referred to in those sections and to the Company or the Great Northern Company as the case may be in respect thereto in as full and complete a manner as if the sections so enumerated were re-enacted in this Act with reference to such railway and works :

Provided that the sections of the Act of 1899 hereinafter referred to and so extended and applied shall for the purposes of this Act

be construed in manner hereinafter mentioned in connection therewith respectively that is to say section 26 in its application to the deviation railway and works connected therewith shall be construed as if the undertaking therein referred to were the deviation railway by this Act authorised and works connected therewith and section 53 shall be construed as if the deposited plans therein referred to were the deposited plans referred to in this Act.

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11. Section 25 of the Act of 1899 is hereby repealed and in lieu thereof the following provisions shall have effect:—

For protection of
Postmaster-General.

- (1) The Company shall so construct their electric lines and works of all descriptions and shall so work their undertaking in all respects as to prevent any interference whether by induction or otherwise with the telegraphic lines from time to time laid down or used by the Postmaster-General or with telegraphic communication by means of such lines:
- (2) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Company is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Company's works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Company enter any of the Company's works for the purpose of inspecting the Company's plant and the working of the same and the Company shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Company pursuant to the Board of Trade regulations:
- (3) If a telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Company be injuriously affected and he is unable to ascertain whether such injurious affection is caused by the Company or by any other persons generating or using electric currents for traction purposes the Postmaster-General may give notice to the Company requiring them to make at such times as he may specify such experiments (by working their generating stations running their cars or otherwise working any part of their undertaking or in case of continuous working by stopping the current generated for the purpose of their undertaking at such times as would not unduly interfere with the traffic) as he may deem necessary to enable him to discover which of the undertakings causes the disturbance

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and such tests shall be carried out by the Company as and when required by the Postmaster-General :

- (4) In the event of any contravention of or wilful non-compliance with this section by the Company or their agents the Company shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (5) This section shall not apply to any telegraphic line of the Postmaster-General laid down or placed by him on or along the railways of the Company :
- (6) In this section the expression "electric line" has the same meaning as in the Electric Lighting Act 1882 and the expression "telegraphic line" has the same meaning as in the Telegraph Act 1878 :
- (7) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Company by indictment action or otherwise in relation to any of the matters aforesaid :
- (8) In this section the expression "the Company" shall include any company or person working the Company's railways or any part thereof under this Act or supplying electric power for the haulage of trains or any other purpose connected with the Company's undertaking.

Period for
completion
of railway.

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

Impounded
fund to
remain as
security for
completion of
running sec-
tion of devia-
tion railway.

13. The impounded fund shall remain as security for the completion of the running section of deviation railway by this Act authorised and sections 71 and 72 of the Act of 1899 shall continue to apply to the said fund as if the running section of deviation railway had been part of the railways authorised by the Act of 1899.

Penalty im-
posed unless
station sec-
tion of devia-
tion railway
is opened
within time
limited.

14. If the Great Northern Company fail within the period limited by this Act to complete the station section of deviation railway the Great Northern Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the station section of deviation railway is

completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per cent. on the estimated cost of the said section of railway and the said penalty may be applied for by any landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the Supreme Court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as hereinafter provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Great Northern Company was prevented from completing or opening such section by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control. A.D. 1902.

15. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the station section of deviation 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 Great Northern Company by this Act for the purposes of such station section of deviation railway and for which injury or loss no compensation or inadequate compensation has been paid and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit and if no such compensation is payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Great Northern Company is insolvent or the station section of deviation railway or any part thereof has been abandoned be paid to such receiver or be applied in the discretion Application of penalty.

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A.D. 1902. — of the court as part of the assets of the Great Northern Company for the benefit of the creditors thereof and subject to such application shall be repaid or retransferred to the Great Northern Company.

Abandonment of railways.

16. The Company shall abandon and relinquish the construction of Railway No. 1 authorised by the Act of 1899 and of so much of Railway No 2 authorised by that Act as lies between its commencement and the commencement of the deviation railway by this Act authorised and the powers conferred by the Act of 1899 so far as they relate to or authorise the construction of such railway and portion of railway shall be and are hereby repealed.

Compensation for damage to land by entry &c. for purposes of railways abandoned.

17. The abandonment by the Company under the authority of this Act of the said railway and portion of railway 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 may have been temporarily occupied by the Company to receive compensation for such temporary occupation or for any loss damage or injury which may have 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 provisions of the Railways Clauses Consolidation Act 1845 incorporated with the Act of 1899 or in that Act.

Compensation for non-completion of contracts in respect of railways abandoned.

18. 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 the railway or portion of railway by this Act authorised to be abandoned or any of them the Company shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Company to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to such contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

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19. In consideration of the foregoing provisions of this Act for compensation to landowners injuriously affected by any acts of the Company in respect of the railway and portion of railway which the Company are by this Act required to abandon the Supreme Court at any time after the passing of this Act on the application of the depositors mentioned in section 71 of the Act of 1899 or their assigns may and shall order that the aforesaid sum of thirty-six thousand nine hundred and eleven pounds two and three quarters per cent. consolidated stock out of the deposit fund of 1899 and the interest and dividends (if any) thereon shall be transferred to such depositors or their assigns and on such order being made the said stock and interest or dividends thereon shall be transferred to the depositors or their assigns accordingly.

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Release of
portion of
deposit fund
of 1899.

20. The powers granted by the Act of 1899 for the compulsory taking and purchase of lands required for the purposes of Railway No. 3 by that Act authorised and of so much of Railway No. 2 by that Act authorised as is not by this Act authorised to be abandoned are hereby revived and extended and may be exercised at any time within but shall not be exercised after the expiration of three years from the first day of August one thousand nine hundred and two.

Extension
of time for
purchase of
lands.

21. The period limited by the Act of 1899 for the completion of Railway No. 3 and of so much of Railway No. 2 by that Act authorised as is not by this Act authorised to be abandoned is hereby extended for the period of three years from the first day of August one thousand nine hundred and four and that period shall for all purposes be deemed to be the period originally limited for the completion of the said railway and portion of railway and if the same be not completed within such extended period then on the expiration of such period the powers granted by the Act of 1899 as amended by this Act for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Extension
of time for
completion
of works
authorised
by Act of
1899.

22. If within twelve months from the completion by the London Council of the new central street authorised by the London County Council (Improvements) Act 1899 the Company shall have failed to substantially commence the construction of their railway and such failure shall be due to any cause within the control of the Company the powers by this Act and the Act of 1899 conferred upon the Company for the construction of works shall at the expiration of that period cease and determine and the certificate of

Powers to
cease unless
works sub-
stantially
commenced.

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A.D. 1902. — the Board of Trade as to whether or not the said railway has been substantially commenced or any failure to commence the same has been due to a cause within the control of the Company shall be final and binding.

Plans &c. to be approved by Board of Trade before works commenced.

23. The Company shall from time to time submit for the approval of the Board of Trade plans sections and other details of their proposals with respect to—

- (A) Permanent way tunnels platforms stairs lifts and other communications ;
- (B) Rolling stock ;
- (C) Lighting ; and
- (D) Ventilation ;

and the railways sanctioned by the Act of 1899 and this Act rolling stock and other works shall be constructed reconstructed and maintained only in accordance with plans sections and other details as approved by the Board of Trade.

Compensation for damage by working.

24.—(1) In addition to the provisions of the Acts incorporated herewith or with the Act of 1899 with respect to compensation for lands taken or injuriously affected the Company shall make compensation to the owner lessee and occupier of any land house or building which shall be injuriously affected by reason of the working of any of the railways of the Company where constructed in tunnel (including the working of lifts and any other works in connection with such railways) notwithstanding that no part of the property of such owner lessee or occupier is taken by the Company. Provided that all claims for compensation under this section shall be made within two years from the date of the opening of such railway for public traffic and shall be settled by a single arbitrator under and subject to the provisions of the Arbitration Act 1889 save that where the parties do not concur in the appointment of an arbitrator the Board of Trade shall have the powers of the court or judge under section 5 of the said Act.

(2) An arbitrator under this section may with the consent of all parties concerned hear together any class or group of claims under this section.

Additional lands.

25. Subject to the provisions of this Act the Company may for the purposes of the railways authorised by the Act of 1899 and of their undertaking generally enter upon take and use the lands and property in the parish and metropolitan borough of Islington situate on the south-west side of Holloway Road and lying between the Railway Hotel and the property of the Great Northern Company

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shown upon the deposited plans and described in the deposited books of reference or some of them or some part or parts thereof. A.D. 1902.

26. The Company shall not commence to construct any building above the surface of the ground upon any part of the lands in the metropolitan borough of Islington described in the deposited books of reference and delineated on the deposited plans and thereon numbered 68 69 70 71 72 73 74 75 76 and 77 abutting upon Stroud Green Road unless or until they shall have given notice to the council in writing of their intention to commence the construction of such building and describing the site thereof and the council may at any time within three months after such notice has been given to them require that the building above the surface of the ground on such lands shall be set back so as to secure increased width of thoroughfare and space in front of the building to such an extent if any (not being greater than that shown by a red line and figured on the plan of the said road which has been signed by the Right Honourable Thomas Lister Lord Ribblesdale the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred and deposited in the Office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons) and on such terms as in default of agreement between the council and the Company may be determined to be proper and reasonable by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and the Company shall thereupon set the same back accordingly.

As to
widening
Stroud
Green Road.

27. The powers 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.

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, or the Great Northern Company any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in 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.

Persons
authorised to
convey lands
may grant
easements &c.

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Power to
sell &c.
lands.

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

Provisions as
to cellars
&c. not
referenced.

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

Restriction
on displacing
persons of
labouring
class.

31.—(1) The Company shall not under the powers of this Act or the powers of the Act of 1899 extended by this Act nor shall the Great Northern Company under the powers of this Act purchase acquire or appropriate in any parish within the administrative county of London twenty or more houses or sites of houses or in any other city borough or urban district or in any other 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 the Act by which the purchase or acquisition was originally authorised were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent in the case of the county of London of the Secretary of State or in any other case of the Local Government Board twenty or more houses or ten or more houses as the case may be which were not so occupied on that day but have been or shall be subsequently so occupied.

(2) Any house on any of the lands shown on the deposited plans which may have been occupied by persons of the labouring class within five years before the passing of this Act and which has been acquired by or on behalf of the Company or the Great Northern 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 persons belonging to the labouring class. A.D. 1902.

(3) If the Company or the Great Northern Company purchase acquire or appropriate any house or site under the powers of this Act or for any of the purposes of this Act in contravention of the foregoing provisions they shall respectively be liable to a penalty of five hundred pounds in respect of every such house or site which penalty shall be recoverable by the Secretary of State or by 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.

(4) For the purposes of this section the word "house" means any house or part of a house occupied as a separate dwelling and the expression "labouring class" in this section means 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.

(5) Nothing in this section shall apply to any of the properties named in the Schedule to the Act of 1899 unless the Company shall acquire the house or site and not an easement merely.

32. The Company shall furnish to the London Council information as to the strata traversed in any boring for the purposes of the works authorised by this Act or the Act of 1899.

Company to supply London Council with information as to strata.

33. If the Company shall construct any work not being an essential part of the railways authorised by this Act or the Act of 1899 which would interfere with or prevent the construction or use of any subway or tunnel which the London Council are or may hereafter be authorised and intending to construct the Company shall upon being so required by the London Council and at the expense of the London Council make all such alterations in such work as may in the opinion of the London Council be necessary for the purposes of such subway or tunnel and as would not prevent the use of or reasonable access to the said railways.

For protection of future subways of London Council.

34. The Company shall from time to time within six months from the time at which any underground stations platforms approaches passages subways tunnels sidings shafts lifts stairs or other underground works shall have been laid down or formed by

Map and plan of underground works of Company to be made.

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A.D. 1902. them cause a survey and map to be made of the route along which any such underground works shall be laid on a scale of not less than five feet to a mile and shall cause to be marked thereon the course and situation of all such existing underground works belonging to them in order to show all such underground works along the said route and their situation relatively to any streets or roads on the surface over near or adjacent to the same and shall within six months of the making of any alterations or additions cause the said map to be from time to time corrected and such additions made thereto as may show the line and situation of all such underground works as may be laid down or formed by them from time to time after the passing of this Act and such map and plan or a copy thereof with the date thereon of the last time when the same shall have been so corrected as aforesaid shall be kept in the office of the Company and shall be open to the inspection of the London Council who may take copies thereof or extracts therefrom.

Buildings
not to be
brought
beyond
general line
&c.

35. The following provisions shall apply and have effect in lieu of the provisions of section 63 of the Act of 1899 which is hereby repealed (namely):—

Notwithstanding anything contained in this Act or in the Act of 1899 or shown on the deposited plans referred to in those Acts respectively it shall not be lawful for the Company to encroach upon any part of the surface of any street or footway in the county of London or without the consent of the London Council as regards any such street or footway to erect or maintain any building or structure beyond the general line of building in any street part of a street place or row of houses in the county of London or to erect any building or structure in such manner that any external wall thereof or the external fence or boundary of any forecourt or space in front thereof shall be within the distances hereinafter prescribed from the centre of the roadway of any street or way (being a highway) upon which the same will abut that is to say where such street or way is used for the purposes of carriage traffic twenty feet and where such street or way is used for the purposes of foot traffic only ten feet.

Application
of London
Building
Acts.

36. The provisions of the London Building Act 1894 and any Act or Acts amending the same shall except so far as the same may be varied by this Act or the Act of 1899 apply to the execution by the Company of any works on any lands in the county of London and the Company shall save as aforesaid be entitled to the benefit

of any special exemptions in favour of railway companies in the said London Building Act contained. A.D. 1902.

37. The Company may raise and apply for any of the purposes of this Act which are to be executed by them and to which capital is properly applicable any moneys which they are authorised by the Act of 1899 as amended by this Act to raise by shares or stock debenture stock or borrowing. Company may apply funds.

38. The Great Northern Company may apply for the purposes of the execution of the works and exercise of the powers by this Act authorised to be constructed by or conferred upon them to which capital is properly applicable any of the moneys which they are already or which by virtue of any Act passed or to be passed during the present session of Parliament they may be authorised to raise. Great Northern Company may apply their funds towards purposes of Act.

39. The Company as regards the running section of deviation railway and the Great Northern Company as regards the station section of deviation railway may respectively demand and take for the conveyance of passengers and small parcels and passengers' luggage conveyed upon the said railway rates and charges not exceeding those authorised by the Act of 1899 and sections 74 to 77 of that Act shall extend and apply as if the said railway were part of the railway authorised by the Act of 1899 and as if the Great Northern Company were as regards the station section of deviation railway mentioned in such sections in lieu of the Company. Rates and charges.

40. If the Brompton Bill becomes law during the present session of Parliament authorising the construction of the Railway No. 2 proposed to be authorised by the Brompton Bill as a double line of railway connecting the up and down lines respectively of the Brompton Railway with the up and down lines respectively of the Railway No. 4 authorised by the Act of 1899 the following provisions shall have effect:— Transfer of Strand undertaking to Brompton Company.

- (1) On and as from the date on which the Brompton Bill receives the Royal Assent or the date of the passing of this Act whichever shall last occur (in this Act referred to as "the date of transfer") all the powers rights privileges and authorities conferred upon the Company by the Act of 1899 as amended by this Act and this Act or any Acts wholly or partly incorporated therewith respectively and all the interests agreements and benefits by or under agreements and all liabilities held acquired or incurred in connection with and for the purposes of the railways authorised by the Act of 1899

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as amended by this Act and the running section of deviation railway by this Act authorised or relating to those railways or to any lands acquired for the purposes thereof and of or to which the Company are seised entitled or liable shall subject to the provisions of this Act be transferred to vested in and imposed upon the Brompton Company and all the rights powers privileges obligations and liabilities of the Company their directors officers and servants respectively which by virtue of the Act of 1899 as amended by this Act or this Act or any Act or Acts wholly or partly incorporated with those Acts respectively might be exercised and enjoyed by them or are imposed upon them respectively for the purposes of or in relation to the said railways and undertaking shall be exercised enjoyed fulfilled and discharged by the Brompton Company their directors officers and servants respectively under and with the same regulations restrictions conditions obligations penalties and immunities in accordance with the aforesaid Acts respectively as by the Company and their directors officers and servants respectively and the provisions of the Act of 1899 as amended by this Act and the provisions of this Act (so far as they relate to the Company) including the provisions of any Act or Acts wholly or partly incorporated with those Acts respectively (except those relating to the constitution of the Company but including those relating to the raising of money by shares or stock and by borrowing or debenture stock and the provisions of section 54 of the Act of 1899 as to power to pay interest out of capital during construction) shall subject to the provisions of this Act be read and have effect as if the Act of 1899 and the aforesaid provisions of this Act had been passed with respect to the Brompton Company instead of with respect to the Company :

- (2) On and as from the date of transfer the Company shall be by this Act dissolved :
- (3) On and as from the date of transfer the provisions of the section of the Brompton Bill of which the marginal note is "Trains and cheap fares for labouring classes" shall extend and apply to and in the case of so much of the railways authorised by the Act of 1899 as will lie between the junction therewith of the Railway No. 2 proposed to be authorised by the Brompton Bill and King's Cross as fully and effectually as if such portion of the railways authorised by the Act of 1899 had formed part of the railway mentioned in that section :

- (4) As and from the date of transfer the provisions of the Cheap Trains Act 1883 shall apply to the railways mentioned in subsection A (i) (ii) (iii) and (iv) of the section of this Act the marginal note of which is "For protection of Great Northern Brompton and Strand Companies" as if such railways formed one railway. A.D. 1902.

41.—(1) For the protection of the Great Northern Company the following provisions shall unless otherwise agreed between the Great Northern Company and the constructing company have effect (that is to say):— For protection of Great Northern Brompton and Strand Companies.

- (A) If the event happens upon which the powers of the Company are transferred to the Brompton Company by virtue of this Act the Brompton Company shall with all reasonable despatch construct and complete—

- (i) The running section of deviation railway;
- (ii) So much of the railway authorised by the Act of 1899 as extends from the commencement of the deviation railway by this Act authorised to the point of junction therewith of the said Railway No. 2 proposed to be authorised by the Brompton Bill;
- (iii) The aforesaid Railway No. 2 proposed to be authorised by the Brompton Bill; and
- (iv) The Brompton Railway;

together with all necessary and proper stations junctions lifts approaches appliances and conveniences as double lines of railway so as to form a complete and continuous double electrical railway extending from Finsbury Park to South Kensington and the Brompton Company shall work such railways and the station section of deviation railway to be leased to them in accordance with the provisions of this Act as one continuous railway with an adequate service of trains running constantly at frequent intervals between Finsbury Park and South Kensington and shall at all times provide a sufficient number of suitable and efficient engines motors and carriages and all proper and necessary plant appliances and things with a constant and sufficient supply of motive power and a sufficient and competent staff to secure the proper and efficient working of the said railways and the passenger lifts appertaining thereto with due regard to the safety and comfort of the public making use of the said railways:

- (B) If such event as aforesaid does not happen the Company shall with all reasonable despatch construct and complete

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the running section of deviation railway and so much of the railways authorised by the Act of 1899 as is not by this Act authorised to be abandoned together with all necessary and proper stations junctions lifts approaches appliances and conveniences as a double line of railway so as to form a continuous double electrical railway from Finsbury Park to the Strand and the Company shall work such railways and the station section of deviation railway to be leased to them in accordance with the provisions of this Act with an adequate service of trains running constantly at frequent intervals to and from Finsbury Park from and to the Strand and shall at all times provide a sufficient number of suitable and efficient engines motors and carriages and all proper and necessary plant appliances and things with a constant and sufficient supply of motive power and a sufficient and competent staff to secure the proper and efficient working of the said railways and the passenger lifts appertaining thereto with due regard to the safety and comfort of the public making use of the said railways :

(c) Save so far as expressly modified or superseded by this Act the provisions contained in section 12 of the Act of 1899 shall be binding upon and be observed by the constructing company as if the same were re-enacted in this Act with reference to the running section of deviation railway and the lands required to be used for the purposes thereof and (if the Brompton Company be the constructing company) to that company both as regards the said running section and the railways and works authorised by the Act of 1899 and the lands required to be used for the purposes thereof and the running section of deviation railway and the railways and works authorised by the Act of 1899 so far as the same are to be constructed upon or under the lands of the Great Northern Company shall be so constructed in accordance with the plans sections and drawings signed by Alexander Ross (the engineer of the Great Northern Company) on behalf of the Great Northern Company and James Russell Chapman on behalf of the Brompton Company and the Company and hereinafter referred to as "the signed plans" subject to such modifications thereof as shall be expressly allowed in writing by the said engineer :

(d) Notwithstanding anything in the Act of 1899 the constructing company shall not acquire nor shall the Great Northern

Company be bound to grant a perpetual easement with respect to any lands of the Great Northern Company in or upon which any surface works are required to be constructed but for the purposes of such surface works the Great Northern Company shall grant and the constructing company shall accept a lease or leases of the lands shown on the signed plans as intended to be leased for surface works : A.D. 1902.

(E) In case at any time or times it shall in the opinion of the engineer of the Great Northern Company be necessary or desirable for the purpose of carrying out any widening extension or alteration of the Great Northern Company's undertaking that the position of any surface works of the constructing company at Holloway or any other station between King's Cross and Finsbury Park Station (exclusive of those stations) should be shifted either temporarily or permanently or that any other alteration should be made in the structure or arrangement thereof the Great Northern Company shall give reasonable notice that they require such alteration to be made and the constructing company shall forthwith proceed to make such alteration under the direction of the engineer of the Great Northern Company. In case the constructing company shall refuse or neglect to immediately proceed with the making of such alteration then it shall be lawful for the Great Northern Company after giving reasonable notice in that behalf to such company to enter upon such surface works and at their own expense to carry out such alteration but so that nothing shall be done to impede or interfere with the traffic of the constructing company and so that that company shall be duly indemnified by the Great Northern Company against liability for any damage or injury to person or property which may happen or arise in the course of carrying out the said alteration :

(F) The consideration to be paid by the constructing company for the easement or right of constructing and using the tunnels (as distinguished from surface works) for so much of the railways authorised by the Act of 1899 as is not by this Act authorised to be abandoned and for the running section of deviation railway by this Act authorised under the lands of the Great Northern Company in accordance with subsection (3) of section 12 of the Act of 1899 as amended by this Act shall be a fixed perpetual rentcharge of two thousand five hundred pounds per annum which shall commence as from the date on

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which any part of such railways to be constructed under the lands of the Great Northern Company shall be opened for public traffic and shall be paid by two equal half yearly instalments in every year the first of such instalments to be payable six months after such opening and the expression "the whole of the land and undertaking of the company" in the said subsection shall mean the whole of the land and undertaking of the constructing company.

(2) For the protection of the constructing company the following provisions shall unless otherwise agreed between the constructing company and the Great Northern Company have effect (that is to say):—

The Great Northern Company shall with all reasonable despatch construct and complete the station section of deviation railway by this Act authorised including an underground station at Finsbury Park with all necessary lay-byes appliances and conveniences to serve as a terminal station in all respects in conformity with the signed plans or any modification thereof which may be expressly allowed in writing by the said engineer of the Great Northern Company.

As to leases.

42.—(1) Any lease or leases of any lands of the Great Northern Company in or upon which any surface works are required to be constructed by the constructing company which may be granted by the Great Northern Company as hereinbefore provided shall be so granted and shall be accepted by the constructing company for a term or terms of nine hundred and ninety-nine years to be computed from the date on which any part of the railways to be constructed under the land of the Great Northern Company are opened for public traffic at such rent or rents as may be agreed between the Great Northern Company and the constructing company or as failing agreement may be settled by arbitration.

(2) When and so soon as the station section of deviation railway shall be finished and ready for traffic and the constructing company have completed ready for traffic the railway and works which in accordance with the foregoing provisions of this Act they are to construct the Great Northern Company shall grant to the constructing company and the constructing company shall accept and take a lease of the said station section for a term of nine hundred and ninety-nine years to be computed from the date on which any part of the railways to be constructed under the land of the Great Northern Company are opened for public traffic at a yearly rent

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which shall be equivalent to four per centum per annum (A) upon the moneys expended by the Great Northern Company in the construction of the station section of deviation railway including the said station lay-byes and works as certified by the engineer of the Great Northern Company and (B) upon such additional sum as shall be equivalent to interest on the moneys so expended at the rate of four per centum per annum from the date or dates of such expenditure to the date of the opening of any part of the said railway and station for traffic. A.D. 1902.

(3) The rent or rents reserved by any lease or leases granted by the Great Northern Company to the constructing company in pursuance of this Act shall be charged and recoverable and commence and be payable in like manner and at the same times as the aforesaid rentcharge of two thousand five hundred pounds.

(4) The lease of the station section of deviation railway station and works shall provide for the efficient repair and maintenance by the lessees of the railway works and property leased and the efficient working of and the prohibition of the alteration or extension of or of the transfer of or of the control of or of the user in contravention of the provisions of such lease of the said railway works and property or the railways which the constructing company are as hereinbefore provided to construct and complete.

(5) The lease of the lands required for surface works in connection with the stations at King's Cross and Holloway shall contain an exception or reservation of all property and rights upon and over such lands above the height of twenty feet or thereabouts from the surface of the ground and power for the Great Northern Company to build over the demised premises and every lease of any site required for surface works at any station between King's Cross and Finsbury Park (exclusive of those stations) shall contain provisions for the alteration of such works and of the site thereof as hereinbefore provided.

(6) Every lease granted by the Great Northern Company to the constructing company in pursuance of this section shall contain covenants conditions and provisions for the due payment of rent and all rates taxes impositions and outgoings whatsoever (landlord's property tax only excepted) and as to insurance and the efficient lighting and keeping the premises leased in repair and preventing alterations thereof or damage injury or danger to the undertaking of the lessors and reservations to the lessors of the right to erect take down alter and add to buildings and works connected with their undertaking above adjacent to or under any part of the

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A.D. 1902. demised premises and of the right of entry and execution of works upon and of user (whether by themselves or by the public or others) of the demised premises and the determination of any such lease and re-entry by the lessors in the event of any breach or non-observance or non-performance of any covenant condition stipulation or provision of such lease and such other terms conditions covenants reservations and provisions as may be agreed between the Great Northern Company and the constructing company.

(7) In accordance with the terms and conditions of any such lease of the station section of deviation railway the constructing company their directors officers and servants respectively shall for the term or until the determination by effluxion of time or otherwise of and subject to the observance of the provisions of this Act and of the terms and conditions covenants and stipulations of the said lease be entitled to the management maintenance working user and enjoyment of the railway station lay-byes and works conveniences lands and property leased and shall be subject to and perform and conform and be liable to all duties obligations and liabilities with respect to the premises leased to which the Great Northern Company would otherwise under this Act be subject or liable in respect of the same and shall indemnify the Great Northern Company their directors officers and servants from all penalties damages costs claims and demands in respect thereof and the rights powers and privileges of the Great Northern Company their directors officers and servants respectively which might by virtue of this Act be exercised or enjoyed by the Great Northern Company with respect to the premises leased and which in accordance with the terms and conditions of such lease are to be exercised and enjoyed by the constructing company their directors officers and servants respectively shall during such period and subject as aforesaid be exercised and enjoyed accordingly under and with the same regulations restrictions conditions obligations penalties and immunities in accordance with this Act as by the Great Northern Company and their directors officers and servants respectively.

Agreements
with District
and Traction
Companies.

43. The constructing company on the one hand and the District Company and the Traction Company or either of them on the other hand may from time to time enter into and carry into effect agreements for or with respect to the supply to the constructing company of electric power or current for working the railways authorised by the Act of 1899 and this Act or any of

them and as to the haulage by the District Company and the Traction Company or either of them of trains on and the equipment and working and handling of the traffic of the said railways and the District Company may from time to time apply their funds and revenues or any moneys which they are or may hereafter be authorised to raise to or for the purposes of any such agreement :

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Provided that the powers by this section conferred upon the District Company for the equipment of such railways shall only be exercised under and during the continuance of any agreement for the working of the traffic thereon by the District Company.

44. The Brompton Company may from time to time apply in or towards the exercise of the powers and the performance and discharge of the duties obligations and liabilities by this Act or any lease made in accordance with the provisions of this Act transferred to conferred or imposed upon them being in all cases purposes to which capital is properly applicable any moneys which they are by or under this or any other Act or Acts passed or to be hereafter passed authorised to raise and which are not made applicable to any special purpose or which being so made applicable are not required for that purpose.

Brompton
Company
may apply
funds.

45. Tickets for workmen's trains which the Company shall be required by the Board of Trade to provide under the Cheap Trains Act 1883 or any statutory modification thereof shall if so required be issued to employers of workmen for the use of such workmen and also to workmen on the day previous to that on which such tickets are made available.

Workmen's
tickets.

46. It shall not be lawful for the Company to take or demand on Sunday or on any bank or public holiday any higher rates or charges than those levied or made by them on ordinary working days.

Company
not to in-
crease fares
on Sundays
&c.

47. The approval by the London Council of any plans sections elevations or drawings or the supervision or inspection by the London Council of any works of the Company or any consent given by the London Council shall not exonerate the Company from any liability for damage caused by or resulting directly or indirectly from any works executed by them. Provided that the Company shall not be liable for any injury or damage to any sewers streets tramways or other works or property of the London Council if the same be occasioned by or by reason of the execution or failure of any works which shall be executed in accordance with any order

Company
not to be
exonerated
by approval
of plans &c.

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A.D. 1902. direction or regulation of the London Council or by or by reason of any act or omission of the London Council.

As to sub-
mission of
notices &c.

48. Where under the provisions of this Act or the Act of 1899 any notice plans sections elevations or drawings are required to be given or submitted to the London Council the same shall save where otherwise expressly required be deemed to have been duly given or submitted if the same shall have been sent by post addressed to the clerk to the London Council.

Company
to pay to
London
Council costs
of inspection
&c.

49. The Company shall on demand pay to the London Council the amount of all costs charges and expenses (other than remuneration for work done in the ordinary course of their employment by salaried officers of the London Council) incurred by them in or about the inspection and approval of plans or works or otherwise in respect of any matter or thing which the London Council are by this Act or the Act of 1899 required or permitted to do.

Amending
section 8 of
Act of 1899.

50. Section 8 of the Act of 1899 shall be read and construed as if the words "twenty-two feet" had been inserted in subsection (2) (c) thereof instead of the words "twenty-one feet" and as if the words "thirteen feet six inches" had been inserted in the said subsection instead of the words "twelve feet."

Payment of
interest out
of capital.

51.—(1) Section 84 of the Act of 1899 shall be read and have effect as if the time limited by this Act for the completion of the works by this Act authorised had been mentioned therein as the period until the expiration of which interest may be paid thereunder.

(2) Subsection (A) of section 84 of the Act of 1899 shall be read and have effect as if the words "obtained a certificate from the Board of Trade" had been omitted therefrom and in lieu thereof the words "deposited with the Board of Trade a statutory declaration by two of the directors and the secretary of the Company" had been inserted therein.

Recovery of
demands
under fifty
pounds.

52. Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court.

Provision
as to general
Railway
Acts.

53. Nothing in this Act contained shall exempt the Company or the Great Northern Company or the Brompton Company or their respective railways from the provisions of any general Act relating

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Act, 1902.

to railways or the better and more impartial audit of the accounts of railway companies passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares and charges or of the rates for small parcels authorised by this Act. A.D. 1902.

54. 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 constructing company. Costs of Act.

[Ch. ccxxxv.] *Great Northern and Strand Railway* [2 EDW. 7.]
Act, 1902.

A.D. 1902. The SCHEDULE referred to in the foregoing Act.

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