



CHAPTER clxxxvi.

An Act to confer further powers on the Great Northern A.D. 1903.
 Piccadilly and Brompton Railway Company and for other
 purposes. [11th August 1903.]

WHEREAS the Great Northern Piccadilly and Brompton
 Railway Company (in this Act called “the Company”) were originally incorporated under the name of the Brompton and Piccadilly Circus Railway Company by the Brompton and Piccadilly Circus Railway Act 1897 (in this Act referred to as “the Company’s Act of 1897”) and authorised to construct the underground railways and subways and other works in that Act described :

And whereas by the Brompton and Piccadilly Circus Railway (Extensions) Act 1899 (in this Act referred to as “the Company’s Act of 1899”) the Company were empowered to make additional railways and works and to raise additional capital :

And whereas by the Brompton and Piccadilly Circus Railway Act 1902 (in this Act referred to as “the Company’s Act of 1902”) the Company were empowered to make additional railways and works and to raise additional capital and the time limited by the Company’s Acts of 1897 and 1899 for the compulsory purchase of land and construction of railways was extended and the name of the Company was changed :

And whereas the Great Northern and Strand Railway Company (herein-after called “the Strand Company”) were incorporated by the Great Northern and Strand Railway Act 1899 and empowered by that Act to construct the railways and works therein mentioned :

And whereas by virtue of the Great Northern and Strand Railway Act 1902 the powers rights privileges and authorities of

A.D. 1903. — the Strand Company as therein defined have become transferred to and vested in the Company and the Strand Company has become dissolved :

And whereas the following sections of the Company's Act of 1902 31 (Provisions operative if pending Piccadilly City and North East London Railway Bill pass into an Act) 32 (Provisions operative if pending London United Electric Railways Bill pass into an Act) and 39 (For protection of Hyde Park Hotel Limited) contain enactments provisional on the passing into law of the two Bills mentioned in the said sections and inasmuch as the said Bills were not passed into law it is expedient that the said recited sections should be repealed :

And whereas by section 40 of the Company's Act of 1902 it is provided amongst other things that notwithstanding anything contained in the said Act or in any former Act or in any Act relating to the Strand Company or shown on the deposited plans in those Acts referred to 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 County Council to erect or maintain any building or structure beyond the general line of buildings in any street part of a street place or row of houses in the county or (except as to lands acquired before the passing of the said Act) to erect any building or structure in such manner that any external wall thereof above the surface of the ground or the external fence or boundary of any forecourt or space in front thereof shall be within twenty feet from the centre of the roadway of any street or way (being a highway) upon which the same will abut and inasmuch as the provisions of the said section might tend to prevent the construction of the works authorised by the said Act it is expedient that the said section should be modified as herein-after set forth :

And whereas it is expedient that the Company should be authorised to apply their capital to the purposes of this Act and to raise additional capital for the purposes of this Act and the general purposes of their undertaking :

And whereas plans describing the lands which may be taken or used compulsorily by the Company under the powers of this Act and a book of reference to the plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of 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 plans and book of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament : A.D. 1903.

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 Commons in this present Parliament assembled and by the authority of the same as follows :—

1. This Act may be cited as the Great Northern Piccadilly and Brompton Railway (Various Powers) Act 1903. Short title.

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

3. Subject to the provisions of this Act the provisions of the Companies Clauses Consolidation Act 1845 with respect to the following matters (that is to say) :— Extending
certain pro-
visions of
Companies
Clauses
Acts.

- The distribution of the capital of the Company into shares ;
- The transfer or transmission of shares ;
- The payment of subscriptions and the means of enforcing the payment of calls ;
- The forfeiture of shares for non-payment of calls ;
- The remedies of creditors of the Company against the shareholders ;
- The borrowing of money by the Company on mortgage or bond ;
- The conversion of the borrowed money into capital ;
- The consolidation of the shares into stock ;
- The general meetings of the Company and the exercise of the right of voting by the shareholders ;
- The making of dividends ;
- The giving of notices ; and
- The provision to be made for affording access to the special Act by all parties interested ;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by any subsequent Act shall extend and apply to the capital to be raised under this Act in shares and stock and by borrowing and to the proprietors thereof.

4. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly Interpreta-
tion.

A.D. 1903 — or partially incorporated herewith have the same respective meanings :

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 in which the lands affected are respectively situate.

Power to
take addi-
tional lands.

5. Subject to the provisions of this Act the Company may for the purposes of or in connexion with their undertaking enter upon purchase take and use all or any of the lands in the county of London herein-after described and delineated on the deposited plans and described in the deposited book of reference (that is to say) :—

In the parish of St. George Hanover Square in the city of Westminster—

Certain lands houses and premises being portions of premises known as Nos. 23 and 24 Down Street Piccadilly and stables and stableyard situated in Down Street Mews adjacent thereto :

In the parish of St. Martin-in-the-Fields in the city of Westminster—

Certain lands houses and premises being portions of premises abutting on the northern side of Long Acre extending from Upper St. Martin’s Lane to Endell Street :

In the parish of St. Giles-in-the-Fields in the metropolitan borough of Holborn—

Certain lands and buildings situate on the eastern side of and at a distance of twenty yards or thereabouts from Little Queen Street on which lands the eastern side of the new street (Holborn to Strand) authorised by the London County Council (Improvements) Act 1899 now in course of construction is intended to abut and which lands extend from Great Queen Street on the south to or near to High Holborn on the north :

And the Company may construct tunnels stations buildings shafts lifts subways and conveniences connected therewith on or under the said lands or any of them :

Provided that nothing contained in this Act shall authorise the Company to make any shafts or subways with or without communication with the surface or openings of any description within one hundred and fifty feet or borings within two hundred

feet of any Crown or Government property or to make any tunnel or railway or subway within two hundred yards laterally of any such Crown or Government property at a level above the level shown in red on the section annexed to an indenture dated the first day of August one thousand nine hundred and two made between the Commissioners of Works of the one part and the Company of the other part without the consent in writing of the Commissioners of Works on behalf of His Majesty or otherwise first had and obtained for that purpose which consent for all the purposes of this section the Commissioners are hereby authorised to give under and subject to such conditions as they may think fit to prescribe. A.D. 1903.

6. The following provisions shall apply to the construction of any works which the Company are by this Act authorised to construct :— Method of construction of works.

- (1) Every shaft shall be constructed as a cylinder of iron sunk from the surface of the earth to a depth of at least eight feet below the surface of the London clay at each such shaft :
- (2) Any space between the linings of the shafts and the surrounding soil shall be properly filled up with lime or cement grouting placed therein under pressure :
- (3) Except in the case of unforeseen accident or for the purpose of removing rain water or other trifling amounts of water no use shall be made of pumping or of other modes of removing water from the works.

7. The sections and parts of sections of the Company's Act of 1897 which are enumerated and referred to in the First Schedule to this Act are incorporated with and form part of this Act and shall extend and apply to the lands which the Company are by this Act authorised to acquire and any works matters or things by this Act authorised as fully and effectually to all intents and purposes as if those sections had been repeated and expressly re-enacted in this Act with reference thereto and in such sections the expression "the council" shall be deemed to mean the London County Council and the expression "the county" the administrative county of London Provided that any provisions of the said incorporated sections referring to a vestry or district board shall be read and have effect as applying to the council of a metropolitan borough. Incorporation of sections of Act of 1897.

8. Section 30 of the Company's Act of 1902 (For protection of metropolitan boroughs) shall extend and apply to any works Application of certain provisions of

A.D. 1903. executed under the powers of this Act in the metropolitan
section 30 of boroughs of Westminster and Holborn except that paragraph (1)
Act of 1902. of the said section 30 shall not apply to Down Street Mews
numbered on the deposited plans 5 in the parish of St. George
Hanover Square.

Period for
compulsory
purchase of
lands.

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

Owners may
be required
to sell parts
only of cer-
tain lands
and build-
ings.

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

Company
may acquire
easements
only under
lands &c.
and purchase
cellars &c.

11. Where the Company require to take or use any part of
the lands described in the Third Schedule to this Act for the
purpose of any tunnel or authorised work no part of which will be
within twenty-five feet from the surface of the land the Company
shall not be required to take the surface thereof or any houses
buildings and premises thereon or any cellar vault arches or other
construction held or connected therewith but the Company may
instead of purchasing and taking the same purchase and take an
easement or right of using the subsoil and under-surface of any
such lands and if the Company require to take use pull down
or open any such cellar vault arches or other construction they
may purchase take and use and the owners of and other persons
interested in any such vault cellar arches or other construction
shall sell the same for the purposes of the railway and works

of the Company and the purchase of any such easement or of any such cellar vault arches or other construction shall not in any case be deemed the purchase of a part of a house building or manufactory within the meaning of section 92 of the Lands Clauses Consolidation Act 1845. But nothing in this section contained nor any dealing with the lands in pursuance of this section shall relieve the Company from the liability to compensation under the sixty-eighth section of the Lands Clauses Consolidation Act 1845 and every case of compensation to be ascertained under the provisions of this section shall be ascertained and determined according to the provisions contained in the Lands Clauses Acts. A.D. 1903.
—

12. For the protection of the British Automobile Commercial Syndicate Limited (in this section referred to as “the lessees”) lessees of premises Nos. 97 and 98 Long Acre and No. 1 Endell Street in the city of Westminster (in this section referred to as “the premises”) the following provisions shall unless otherwise agreed apply and have effect :— For protection of
British
Automobile
Commercial
Syndicate
Limited.

(1) Notwithstanding anything in this Act contained but without prejudice to any existing rights of the Company the Company shall not purchase or take the lessees’ interest in the premises comprised in an indenture of lease thereof dated the twenty-second day of February one thousand nine hundred and two but the Company may enter upon purchase take and use under the last preceding section such easement or right of using the subsoil and under surface under such premises as they may require :

(2) The Company shall not construct under such premises or any part thereof any tunnel or work of which any part shall be within seventy feet from the surface of the street level.

13.—(1) It shall be lawful for the Company to erect any buildings on or over any lands acquired or to be acquired by them and over any of their stations or sites of their stations and to sell lease or otherwise dispose of any buildings so erected by them and also any rights of building on or over any of their stations or the sites thereof. As to buildings upon
lands of
Company.

(2) The Company may sell lease or otherwise dispose of any such buildings or rights of building 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 or consideration in any other form

A.D. 1903. and may make execute and do any deed act or thing proper for effectuating any such sale lease or other disposition.

(3) Any such building which the Company may declare under their seal to be such as they can sell lease or dispose of without interfering with the safe and proper use of their railway and undertaking shall not unless expressly included be affected by any mortgage or charge of the Company's undertaking.

(4) Nothing in this section shall apply to any land station site or building to be leased to the Company by the Great Northern Railway Company except with the consent of the last-mentioned company.

(5) Nothing in this section shall empower the Company to deal with any property subject to any agreement between the Company on the one hand and the Commissioners of Woods or the Commissioners of Works on the other hand otherwise than subject to and in accordance with the provisions of such agreement.

(6) Section 127 of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous land shall not apply to any lands acquired or to be acquired by the Company to which this section applies.

Power to
hold lands
on lease.

14. It shall be lawful for the Company to hold on lease any lands for the purposes of stations or buildings connected therewith.

Restriction
on taking
houses of
labouring
class.

15.—(1) The Company shall not purchase acquire or appropriate under any of the powers of this Act or for any of the purposes of this Act twenty or more houses or sites of houses in the administrative county of London which at any time within five years before the passing of this Act have been or shall hereafter be occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers.

(2) If the 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 provision they shall be liable to a penalty of five hundred pounds for every such house or site which penalty shall be recoverable by the Secretary of State by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(3) For the purposes of this section—

A.D. 1903.

The expression “house” means any house or part of a house occupied as a separate dwelling ;

The expression “labouring class” 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 of such persons who may be residing with them.

16. The following sections of the Act of 1897 viz. :—

Repeal of certain sections of Acts of 1897 and 1902.

Section 68 (For the protection of Lady Cholmley and the Cavalry Club) ; and

Section 69 (For the protection of the Sutton Estate and lessees of that estate) ;

and the following sections of the Act of 1902 viz. :—

Section 11 (Procedure where more than one company concerned) ;

Section 31 (Provisions operative if pending Piccadilly City and North East London Railway Bill pass into an Act) ;

Section 32 (Provisions operative if pending London United Electric Railways Bill pass into an Act) ;

Section 39 (For protection of Hyde Park Hotel Limited); are hereby repealed.

17.—(1) The Company in the construction of the railway authorised by the Company's Act of 1897 in Piccadilly opposite the premises numbered 117 118 119 125 126 and 127 Piccadilly shall not deviate vertically in an upward direction nor laterally in a northerly direction from the position of the proposed railway as shown upon the plans and sections deposited in connexion with the Company's Act of 1897.

For protection of Sutton Estate and lessees of that estate.

(2) Nothing in this Act or in the Act of 1897 contained shall authorise the Company to enter upon use or take compulsorily for the purposes of their undertaking any lands belonging to the Sutton Estate lying between the west side of Down Street and the north side of Piccadilly except the lands coloured blue red and green upon the plan signed in triplicate by the Right Honourable Arthur Frederick Jeffreys the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred and except the premises over the archway forming part of No. 24 Down Street

A.D. 1903. but the Company may for the purposes of their undertaking acquire easements under the lands coloured yellow upon the said plan The Company shall not take compulsorily the surface of the lands coloured yellow upon the said plan (except the premises over the archway No. 24 Down Street as herein-before mentioned) nor shall the Company take or interfere with the user of the cellars or offices belonging to any of the houses Nos. 117 118 119 125 126 and 127 Piccadilly except so far as such cellars or offices may be on or under the land coloured red blue yellow or green on the said plan.

(3) The station of the Company to be constructed in Down Street shall not have any access into Down Street Mews or into the archway leading thereto.

(4) The Company shall not acquire any part of the space between the surface of the land coloured yellow on the said plan and thereon marked "archway" and the lower part of the building forming the arch above it but the Company may acquire the premises above the said archway which form part of No. 24 Down Street Provided that the Company shall not take any part of No. 24 Down Street (including the premises above the said archway) without taking the whole The Company may erect any building over the said archway subject nevertheless to such provisions as to notices to and approval of plans by the Sutton Estate Trustees and restrictions as are required by the next following subsection with reference to the erection of the said station.

(5) The Company shall not commence to erect the buildings of the said station until they shall have given to the Sutton Estate Trustees one month's previous notice in writing of their intention to commence the same by leaving such notice at the Sutton Estate office with plan of elevation for the approval of the said trustees Provided always that the said trustees shall not unreasonably withhold their approval The Company shall with all reasonable dispatch proceed with the construction of the said station from the commencement until the completion thereof No building shall be erected upon any part of the lands coloured red and blue on the said plan or over the said archway of a greater height than the existing buildings on such part or over the said archway respectively and no building to be erected over the said archway shall extend westward beyond the line of the said existing building No building shall be erected on any part of the land coloured green on the said plan exceeding in height twenty-five feet from the level of Down Street Mews.

(6) The Company shall not without the consent in writing of the said trustees affix or exhibit or permit to be affixed or exhibited upon any part of the said station or upon any building or hoarding on the site thereof as well before as during and after the construction of the said station any placards or advertisements other than placards giving information to the public as to the traffic of the Company. A.D. 1903.

(7) In or about the construction of the railway or of the said station or of any building to be erected by the Company in Down Street or Down Street Mews the Company shall not—

(A) cart any materials through the yard known as Down Street Mews so as to cause any interference with or obstruction to the entrances in Down Street Mews to any of the houses offices stables or coachhouses abutting thereon ;
nor

(B) cause any obstruction to the free passage along Down Street of foot passengers and vehicles to and through the said archway or to any residence in Down Street forming part of the Sutton Estate.

(8) The Company shall make full compensation to the said trustees and where the trustees are not in possession then to their lessees for any damage to or subsidence of any drain or pipe in or under any part of the Sutton Estate in or under which any works may be executed by the Company which may be caused by or in consequence of the act or default of the Company their contractors servants or agents and whether such damage or subsidence shall happen during the construction of such works or at any time thereafter.

(9) Any sale or letting by the Company of any lands forming part of the Sutton Estate which shall be acquired by the Company or of any buildings thereon shall be made subject to a condition that the purchaser or lessee and his heirs executors administrators and assigns as the case may be shall not use or permit to be used the premises so sold or let for any purpose calculated to injuriously affect the owners or occupiers of any premises adjoining thereto.

(10) If any dispute or difference shall arise between the Company and the said trustees respecting any matter under this section such dispute or difference shall be referred to arbitration under the Arbitration Act 1889.

(11) In this section the Sutton Estate Trustees shall where the context admits include the trustees and owners for the time

A.D. 1903. being of the said estate or of so much thereof as shall not have
 — been sold.

For protec-
 tion of pro-
 perty of Lon-
 don County
 Council.

18. Notwithstanding anything contained in this Act or shown on the deposited plans and sections the Company shall not without the consent of the London County Council enter upon purchase take use or interfere with any part of the lands numbered respectively 1 2 3 4 5 6 7 8 9 10 11 and 12 on the deposited plans relating to the parish of St. Giles-in-the-Fields in the metropolitan borough of Holborn (except the subsoil of such lands at a depth not less than fifty feet below the surface of the new street from Holborn to the Strand authorised by the London County Council (Improvements) Act 1899) and the Company shall not in constructing any railways or works in or under such lands or any part thereof deviate vertically in an upward direction more than five feet from the levels shown on the deposited sections with reference to the railways and works authorised by the Company's Act of 1902 so far as situate within the said lands.

For protec-
 tion of Lon-
 don County
 Council.

19.—(1) Subsection (4) of section 40 of the Company's Act of 1902 is hereby repealed.

(2) Notwithstanding anything contained in this Act or in any former Act relating to the Company or the Great Northern and Strand Railway Company or shown on the deposited plans in such Acts referred to it shall not be lawful for the Company without the consent of the London County Council to encroach upon any part of the surface of any street or footway in the administrative county of London or to erect or maintain any building or structure beyond the general line of buildings in any street part of a street place or row of houses in the said county or (except as to any lands acquired by the Company before the passing of the Company's Act of 1902 or into the possession of which they had entered or in respect of all interests in which they had served notice to treat before the passing of the Act of 1902) without such consent to erect any building or structure in such manner that any external wall thereof above the surface of the ground or the external fence or boundary of any forecourt or space in front thereof shall be within the distances herein-after prescribed from the centre of the roadway of any street or way (being a highway in the said county) upon which the same will abut (that is to say) where such street or way is used for the purpose of carriage traffic twenty feet and where such street or way is used for the purpose of foot traffic only ten feet.

Provided also that this repeal shall not extend to revive A.D. 1903.
 section 46 of the Company's Act of 1897. —

(3) The provisions of the London Building Act 1894 and any Act or Acts amending the same shall subject to the provisions of this section and except so far as the same may be expressly varied by any of the Company's Acts apply to the execution by the Company of any works on any lands in the county 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 Acts contained but no such exemptions shall be deemed to apply to such part of any building as shall be used or intended to be used for other than railway purposes.

20. Notwithstanding anything contained in the former Acts relating to the Company the Company may erect any building on the lands numbered 2 and 3 on the deposited plans in the parish of St. George Hanover Square in the city of Westminster up to the limits shown by a red line on the plan of the said lands which has been signed by the Right Honourable Arthur Frederick Jeffreys the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred and so much of the said lands as lie between Down Street and the limits shown by the said red line on the said signed plan shall if and when acquired by the Company unless the London County Council otherwise consent forthwith be added to and deemed to form part of the highway of Down Street and shall be paved or otherwise made up by the Company to the satisfaction of the council of the said city of Westminster and shall thereafter be maintained repaired cleansed and lighted by the council of the said city. Company to add certain forecourts to certain streets.

21. Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not without the consent of the London County Council enter upon purchase take use or interfere with any part of the surface of any of the streets numbered respectively 11 17 26 34 and 42 on the deposited plans in the parish of St. Martin-in-the-Fields in the city of Westminster. Company not to take surface of lands in St. Martin-in-the-Fields.

22. Notwithstanding anything contained in the Company's Acts of 1897 1899 and 1902 and the Great Northern and Strand Railway Acts of 1899 and 1902 the Company may apply any sums of money already raised or which they are authorised to raise under the said Acts for or towards the purposes of this Act and Power to apply funds.

A.D. 1903. the general purposes of the Company's undertaking to which capital is properly applicable.

Power to raise additional capital.

23. The Company may subject to the provisions of Part II. of the Companies Clauses Act 1863 raise by the issue of new ordinary shares or stock any amount of capital not exceeding two hundred and fifty thousand pounds in addition to the capital which they are already authorised to raise but the Company shall not issue any share of less nominal value than ten pounds nor shall any share vest in the person accepting the same unless and until a sum not being less than one fifth of the amount of such share shall have been paid in respect thereof.

Further borrowing powers.

24. The Company may in respect of the additional capital of two hundred and fifty thousand pounds which they are by this Act authorised to raise borrow on mortgage of the undertaking any moneys not exceeding in the whole eighty-three thousand pounds but no part thereof shall be borrowed until shares for so much of the said additional capital as is to be raised by means of shares are issued and accepted and one half of such capital is paid up and the Company have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that shares for the whole of such capital have been issued and accepted and that one half of such capital has been paid up and that not less than one-fifth part of the amount of each separate share in such capital has been paid on account thereof before or at the time of the issue or acceptance thereof and until stock for one half of so much of the said additional capital as is to be raised by means of stock is fully paid up and the Company have proved to such justice as aforesaid before he so certifies that such shares or stock as the case may be were issued and accepted and to the extent aforesaid paid up bonâ fide and are held by the persons to whom the same were issued or their executors administrators successors or assigns and also so far as the said additional capital is raised by shares that such persons or their executors administrators successors or assigns are legally liable for the same Upon production to such justice of the books of the Company and of such other evidence as he shall think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

For appointment of a receiver.

25. Section 53 of the Act of 1902 shall be and the same is hereby repealed but without prejudice to any appointment which

may have been made or to the continuance of any proceedings which may have been commenced prior to the passing of this Act under such provision. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole. A.D. 1903.
—

26. The Company may create and issue debenture stock subject to the provisions of section 25 of the Act of 1897 and notice of the effect of that enactment shall be endorsed on all mortgages granted and debenture stock issued under the powers of this Act. Debenture
stock.

27. All moneys raised under this Act whether by shares or stock or debenture stock or borrowing shall be applied only to the purposes of the Company's undertaking to which capital is properly applicable. Application
of moneys.

28. Section 69 of the Company's Act of 1902 is hereby repealed. The Company may out of any capital which they are authorised to raise pay interest at such rate not exceeding three pounds per centum per annum as the directors may determine to any shareholder on the amount from time to time paid up on the shares held by him from the respective times of such payments until the expiration of the time limited by the Company's Acts for the completion of the works authorised to be constructed by the Company or such less period as the directors may determine but subject always to the conditions herein-after stated (that is to say):— Power to
pay interest
out of capi-
tal.

(A) No such interest shall begin to accrue until the Company shall have deposited with the Board of Trade a statutory declaration by two of the directors and the secretary of the Company that two thirds at least of their authorised share capital in respect of which such interest may be paid has been actually issued and accepted and is held by shareholders who or whose executors administrators or assigns are legally liable for the same :

(B) No such interest shall accrue in favour of any shareholder for any time during which any call on any of his shares is in arrear :

(c) The aggregate amount to be so paid for interest shall not exceed two hundred and forty thousand pounds and the amount so paid shall not be deemed share capital in

A.D. 1903.

respect of which the borrowing powers of the Company may be exercised but such borrowing powers shall be reduced to the extent of one third of the amount paid for interest as aforesaid :

(D) Notice that the Company has power so to pay interest out of capital shall be given in every prospectus advertisement or other document of the Company inviting subscriptions for shares and in every certificate of shares :

(E) The half-yearly accounts of the Company shall show the amount of capital on which and the rate at which interest has been paid in pursuance of this section.

Save as herein-before set forth no interest or dividend shall be paid out of any share or loan capital which the Company are by this or any other Act authorised to raise to any shareholder on the amount of the calls made in respect of the shares held by him but nothing in this Act shall prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845.

Company may prepare new register of share-holders.

29. The Company may prepare a new register of shareholders to comprise the persons entitled to shares created by or under the Company's Acts of 1897 1899 and 1902 and this Act and the Great Northern and Strand Railway Act 1899.

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

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

Provision as to general Railway Acts.

31. Nothing in this Act contained shall exempt the Company or their railways from the provisions of any general Act relating to railways or the better and more impartial audit of the accounts of railway companies 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.

Costs of Act.

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

The SCHEDULES referred to in the foregoing Act. A.D. 1903.

THE FIRST SCHEDULE.

SECTIONS AND PROVISIONS OF COMPANY'S ACT OF 1897 WHICH
ARE INCORPORATED WITH THIS ACT.

Marginal Note of Section.	Number of Section.
Power to divide shares - - - - -	15
Dividends on half shares - - - - -	16
Dividends on preferred shares to be paid out of profits of the year only -	17
Half shares to be registered and certificates issued - - - - -	18
Terms of issue to be stated in certificates - - - - -	19
Forfeiture of preferred half shares - - - - -	20
Preferred shares not to be cancelled or surrendered - - - - -	21
Half shares to be half shares in capital - - - - -	22
Persons authorised to convey lands may grant easements - - - - -	35
Power to sell &c. lands - - - - -	36
For protection of sewers of council - - - - -	44
Walls of buildings to be made good - - - - -	47
Deposit of objects of interest - - - - -	49
Exhibition of placards - - - - -	50
As to entrances at stations &c. - - - - -	53
For protection of sewers of district boards and vestries - - - - -	54
General provisions for protection of water gas hydraulic power electric and telephonic companies - - - - -	61

THE SECOND SCHEDULE.

DESCRIBING HOUSES BUILDINGS MANUFACTORIES AND PREMISES
OF WHICH PORTIONS ONLY MAY BE TAKEN.

Metropolitan Borough and Parish.	Number on deposited Plans.
City of Westminster :— Parish of St. George Hanover Square -	1 3 4 5.

A.D. 1903.

THE THIRD SCHEDULE.

DESCRIBING LANDS &C. IN RESPECT OF WHICH EASEMENTS &C. MAY
BE TAKEN.

Metropolitan Borough and Parish.	Number on deposited Plans.
City of Westminster :--	
Parish of St. George Hanover Square -	1 3 4 5.
Parish of St. Martin-in-the-Fields -	1 to 42 (inclusive).
Holborn :--	
Parish of St. Giles-in-the-Fields -	1 to 12 (inclusive).

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.4; or
OLIVER AND BOYD, EDINBURGH; or
F. PONSONBY, 116, GRAFTON STREET, DUBLIN.