



CHAPTER cxcix.

An Act for the making of Railways for completing the Metropolitan Inner Circle, and for the construction and improvement of Streets in the City of London; and for other purposes. A.D. 1874.
[7th August 1874.]

WHEREAS the completion of the Inner Circle of Railway Communication in the Metropolis is an object of great public importance :

And whereas the railways by this Act authorised would accomplish that object, and would also be of great advantage to the Metropolis :

And whereas the construction (in connexion with those railways) of a new street in the city of London, from King William Street to Fenchurch Street, and the widening and improvement of certain portions of the last-mentioned street and of King William Street, would also be of great public and local advantage :

And whereas the persons in this Act named in that behalf, with others, are willing at their own expense to construct such railways, street, and works if authorised by Parliament so to do, and are desirous of being incorporated into a company for that purpose :

And whereas it is expedient that the Commissioners of Sewers of the City of London and the Metropolitan Board of Works be respectively authorised to contribute towards the cost of the proposed new street and street improvements :

And whereas it is expedient that the Company so to be incorporated, and the other railway companies in this Act mentioned in that behalf, be empowered to enter into and carry into effect agreements as herein-after provided :

And whereas plans and sections of the proposed railways, street, and works, showing the line and levels thereof respectively, and the lands which may be taken for the purposes of this Act, and also books of reference to the plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the

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A.D. 1874. — lands, have been deposited with the respective clerks of the peace for the county of Middlesex and the city of London, and those plans, sections, and books of reference are in this Act referred to as “the deposited plans, sections, and books of reference”:

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

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 1. This Act may be cited as “The Metropolitan Inner Circle Completion Act, 1874.”

Provisions of certain general Acts incorporated. 2. “The Companies Clauses Consolidation Act, 1845,” and Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of “The Companies Clauses Act, 1863,” “The Companies Clauses Act, 1869,” “The Lands Clauses Consolidation Acts, 1845, 1860, and 1869,” “The Railways Clauses Consolidation Act, 1845,” and Part I. (relating to construction of a railway) and Part III. (relating to working agreements) of “The Railways Clauses Act, 1863,” are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms. 3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings, unless there be something in the subject or context repugnant to or inconsistent with such construction; the expression “the Company” means the Company incorporated by this Act; the expression “the railway” means the railways by this Act authorised; the expression “the new streets” means and includes the new street and the widening and improvement of Fenchurch Street and King William Street by this Act respectively authorised; the expression “the undertaking” means and includes the railway and the new streets; the expression “the ten companies” means and includes the Metropolitan Railway Company, the Metropolitan District Railway Company, the Great Northern Railway Company, the Great Eastern Railway Company, the North London Railway Company, the East London Railway Company, the South-eastern Railway Company, the London and North-western Railway Company, the Midland Railway Company, and the London, Brighton, and South Coast Railway Company; the expression “the corporation” means the mayor, aldermen, and commons of the city of London; the expression “the commissioners” means the Commissioners of Sewers of the City of London; the

expression "the board" means the Metropolitan Board of Works; and the expression "superior courts" or "court of competent jurisdiction," or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt, and not a debt or demand created by statute. A.D. 1874.

4. The expressions "parish clerk" and "clerks of the several parishes" in sections 7, 8, and 9 of "The Railways Clauses Consolidation Act, 1845," shall, with reference to the Company, and as regards those parishes and extra-parochial places in respect of which, by the standing orders of either House of Parliament, plans, sections, and other documents are required to be deposited with the clerk of the vestry of the parish, or with the clerk of the district board for the district in which the respective parish or extra-parochial place is included, mean in the first case the vestry clerks of those parishes, and in the second case the clerks of those district boards respectively. Interpretation of terms "parish clerk," &c.

5. Charles Whetham, James Goodson, Charles Lee, William Munton Bullivant, and Edward Frederick Devenish Walshe, and all other persons and corporations who have already subscribed to or shall hereafter become proprietors in the undertaking, and their executors, administrators, successors, and assigns respectively, shall be and are hereby united into a company for the purpose of making and maintaining the railway, new streets, and works by this Act authorised, and for other the purposes of this Act, and for those purposes shall be and are hereby incorporated by the name of "The Metropolitan Inner Circle Completion Railway Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act. Company incorporated.

6. Subject to the provisions of this Act, the Company may make and maintain, in the line and according to the levels shown on the deposited plans and sections, the railways, new streets, and works herein-after described, and may enter upon, take, and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose, and where the Company think fit they may for any of the purposes of this Act purchase the whole of the lands delineated on the deposited plans and described in the deposited books of reference. The railways herein-before referred to and authorised Power to make railways, streets, &c. according to deposited plans.

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A.D. 1874. by this Act comprise the following railways, with all proper and necessary stations, sidings, junctions, approaches, communications, works, and conveniences connected therewith or incidental thereto respectively; (that is to say,)

So much, but so much only, of railway (No. 1) shown on the deposited plans as lies between the commencement of that railway, as shown on those plans, and the point of junction shown on those plans between railway No. 1 and railway No. 2, herein-after described:

Railway (No. 2). A railway one furlong eight chains and fifty links in length, commencing in the parish of Saint Katherine Cree, otherwise Saint Katherine Cree Church, in the city of London, by a junction with railway No. 1 at a point in Fenchurch Street near the northern end of Northumberland Alley, and terminating in the parish of Saint Botolph Without, Aldgate, in the city of London, by a junction with the authorised line of the Metropolitan Railway Tower Hill Extension, at or near the entrance from White Street to Roper's Buildings.

And the new streets and other works herein-before referred to and authorised by this Act comprise the following (which will be wholly situate in the city of London), with all necessary and proper roadways, footways, approaches, drains, culverts, and other works and conveniences connected therewith; that is to say,

(A.)—A new street commencing in the parish of Saint Leonard, Eastcheap, at or near the junction of King William Street with Eastcheap and Gracechurch Street, and terminating in Fenchurch Street in the parish of Saint Gabriel, Fenchurch Street, at or near the house numbered 34 on the south side of Fenchurch Street:

(B.)—The widening and improvement, in the parish of Saint Leonard, Eastcheap, of the southern side of King William Street, between the north-west corner of Fish Street Hill and the house numbered 54 in King William Street aforesaid:

(C.)—The widening and improvement, in the parishes of Saint Gabriel, Fenchurch Street, and Allhallows Staining, or one of them, of the north side of Fenchurch Street between Cullum Street and Fishmongers Alley:

(D.)—The widening and improvement, in the parish of Saint Katherine Coleman, of both sides of Fenchurch Street, on the north side between the houses numbered 106 and 109

in that street, and on the south side between Church Row and the tea warehouses of the East and West India Dock Company. A.D. 1874.

7. The capital of the Company shall be one million eight hundred thousand pounds in one hundred and eighty thousand shares of ten pounds each. Capital, and number and amount of shares.

8. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person or corporation accepting the same, unless and until a sum not being less than one fifth of the amount of such share is paid in respect thereof. Shares not to issue until one fifth paid up.

9. One fifth of the amount of a share shall be the greatest amount of a call, and two months at the least shall intervene between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of the calls made in any year upon any share. Calls.

10. If any money is payable to a shareholder being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company. Receipts in cases of persons not sui juris.

11. Subject to the provisions of this Act the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share," but the Company shall not so divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share. Power to divide shares.

12. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first in payment of dividend, after such rate not exceeding six per centum per annum as shall be determined once for all at a general meeting of the Company specially convened for the purpose, on the amount for the time being paid up on the preferred half share, and the remainder, if any, in payment of dividend on the deferred half share, and the Dividends on half shares.

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A.D. 1874. — Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

Dividend on preferred shares to be paid out of profits of the year only.

13. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid, in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

14. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof, but the directors shall not be bound to issue a certificate of any half share until the certificate of the existing entire share be delivered to them to be cancelled, unless it be shown to their satisfaction that such certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

15. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Forfeiture of preferred shares.

16. The provisions of "The Companies Clauses Consolidation Act, 1845," with respect to the forfeiture of shares for non-payment of calls, shall apply to all preferred half shares created under the authority of this Act, and every such preferred half share shall for that purpose be considered an entire share, distinct from the corresponding deferred half share, and until any forfeited preferred half share shall be sold by the directors, all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

Preferred shares not to be cancelled or surrendered.

17. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half

18. The several half shares under this Act shall be half shares in the capital of the Company, and every two half shares (whether

preferred or deferred, or one of each,) held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions herein-before contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share. A.D. 1874.
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shares in capital.

19. The Company may from time to time borrow on mortgage any sums not exceeding in the whole six hundred thousand pounds, and of that sum they may from time to time borrow any sums not exceeding in the whole two hundred thousand pounds in respect of every six hundred thousand pounds of their capital, but no part of any such sum of two hundred thousand pounds shall be borrowed until the whole of the six hundred thousand pounds of capital in respect of which it is borrowed is issued and accepted, and one half thereof is paid up, and the Company have proved to the justice who is to certify under the fortieth section of "The Companies Clauses Consolidation Act, 1845," (before he so certifies) that the whole of the respective portion of capital has been issued and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such respective portion of capital has been paid on account thereof before or at the time of the issue or acceptance thereof, and that such respective portion of capital was issued bonâ fide, and is held by the persons or corporations to whom the same was issued, or their executors, administrators, successors, or assigns, and that such persons or corporations, their executors, administrators, successors, or assigns, are legally liable for the same; and upon production to such justice of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which certificate shall be sufficient evidence thereof. Power to borrow on mortgage.

20. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver; and in order to authorise the appointment of a receiver in respect of principal, the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less than ten thousand pounds in the whole. Arrears may be enforced by appointment of a receiver.

21. The Company may create and issue debenture stock, subject to the provisions of Part III. of "The Companies Clauses Act, 1863;" but, notwithstanding anything therein contained, the interest of all debenture stock at any time created and issued by the Company shall rank pari passu with the interest of all mortgages at any Power to create debenture stock.

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A.D. 1874. — time granted by the Company, and shall have priority over all principal moneys secured by such mortgages.

Application of moneys.

22. All moneys raised under this Act, whether by shares, debenture stock, or borrowing, shall be applied for the purposes of this Act only.

First and subsequent meetings.

23. The first ordinary meeting of the Company shall be held within six months next after the passing of this Act, and the subsequent ordinary meetings of the Company shall be held twice in every year, in the months of February or March and August or September, as the directors may appoint.

Number of directors.

24. The number of the directors shall be ten, but the Company may from time to time reduce or increase the number of directors, but so that the number be never less than five nor more than ten.

Qualification of directors.

25. The qualification of a director shall be the possession in his right of not less than fifty shares.

Quorum of directors.

26. The quorum of a meeting of directors, if the number of directors for the time being be more than six, shall be four, and if the number of directors for the time being be six or five the quorum shall be three.

First directors.

27. Charles Whetham, James Goodson, Charles Lee, William Munton Bullivant, Edward Frederick Devenish Walshe, and five persons to be nominated by them or the majority of them, and consenting to such nomination, shall be the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act; at that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act or nominated as aforesaid, or any of them, or may elect a new body of directors, or directors to supply the place of those not continued in office, the directors appointed by this Act or nominated as aforesaid being, if qualified, eligible for re-election; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power hereinbefore contained of altering the number of directors) elect persons to supply the places of the directors then retiring from office, agreeably to the provisions of "The Companies Clauses Consolidation Act, 1845," and the several persons elected at any such meeting, being neither removed nor disqualified nor having died or resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Election of directors.

28. The quantity of land to be taken by agreement by the Company for the extraordinary purposes mentioned in "The Railways Clauses Consolidation Act, 1845," shall not exceed two acres. A.D. 1874.
Lands for extraordinary purposes.

29. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of two years from the passing of this Act. Powers for compulsory purchases limited.

30. It shall be lawful for the Company in the construction of the railway to deviate beyond the limits of deviation prescribed by "The Railways Clauses Consolidation Act, 1845," from the levels as marked on the deposited sections to such an extent as may be found necessary for accommodating the railway to the sewerage, drainage, or roads of the district, but not so as to affect the level or inclination of the surface of any existing street or public road further or otherwise than the Company are authorised to do under any other of the provisions of this Act. Power to deviate from levels.

31. The works on the said several lines of railway by this Act authorised shall be commenced simultaneously at the points where the same will form a junction with the authorised line of the Metropolitan Railway Company and the point where the same will form a junction with the existing line of the Metropolitan District Railway Company, and such works so commencing at such points shall be proceeded with *pari passu* until the whole of the said lines respectively be completed. For simultaneous construction of portions of works.

32. For the purposes of affording adequate light and ventilation to the railway, and for the purpose of setting out the works by this Act authorised, the Company may make and permanently maintain at the point where the railway intersects any road, land, street, (including the new streets,) or square within the limits of deviation on the deposited plans, shafts or openings from the surface of any such road, land, street, or square to any portion of the railway constructed under such surface, subject to the following provisions; (that is to say,) Provisions as to openings in roads.

- (1.) The number, size, and position of such shafts or openings, and the lighting thereof if necessary, shall be agreed upon between the Company and the commissioners or the board, according as the shaft or opening will be in the city of London or elsewhere in the Metropolis, or failing such agreement shall be determined by an engineer to be appointed on the application of either party by the Board of Trade:

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(2.) The openings shall be enclosed by gratings or an erection of an ornamental character to be constructed according to a design approved of by the commissioners or the board, as the case may be.

In the event of the Company requiring to open the road, half only to be interfered with at one time, unless temporary bridge provided.

33. In the event of the Company requiring for the purposes of the railway or any part of the railway (subject to the restrictions in this Act contained) to open or in any manner to interfere with the surface of any street or road, or of any footpath, then and in that case, unless and until the Company shall, to the reasonable satisfaction of the chief surveyor or surveyor, as the case may be, (for the district in which such street, road, or footpath may be situate,) have provided a temporary bridge or roadway equal in width to one half of the street or road (including footways) so opened or interfered with, or except, with the consent of the said chief surveyor or surveyor, as the case may be, only one half of the surface of such road and only one footpath shall be first opened or interfered with, leaving the other half of the said street or road and one footpath for the passage of the public until such time as it shall have been certified in writing by the said chief surveyor or surveyor, as the case may be, that the half of the said street or road and the footpath first opened or interfered with has been restored to a good and proper state for the safety and convenience of the public, and then, and not before, it shall be lawful for the Company temporarily to shut up the other half of the said street or road and the other footpath.

As to interference with certain streets.

34. In the event of the Company requiring for the purposes of the railway or any part of the railway (subject to the restrictions in this Act contained) to open or in any manner interfere with the surface or any portion of the surface of the following streets in the city of London—

Cannon Street,
King William Street,
Fenchurch Street,
Aldgate,

or of the footways of such streets respectively, then and in such case the Company shall, to the reasonable satisfaction of the engineer or surveyor for the time being of the Commissioners of Sewers for the City of London, provide a temporary bridge or roadway equal in width to that part or parts of the roadway of the said streets respectively so to be opened or interfered with (as well as the footway of such streets where the same are required to be opened or interfered with), and such temporary bridge or roadway

shall be kept open until the said streets and footpaths have been restored to a good and proper state for the safety and convenience of the public. A.D. 1874.

35. No part of the footway or roadway either in Queen Victoria Street, Cannon Street, King William Street, or Gracechurch Street, from the point of the commencement of the said railway (No. 1) to the junctions of Cannon Street with King William Street and Gracechurch Street with Eastcheap, and the approach to London Bridge, or in any street leading into the same between the points aforesaid, shall in any way be closed, or the traffic through or along the same hindered or interrupted by means of the works of the said railway, as to Cannon Street or any street leading into the same between the points aforesaid, at any time between seven o'clock in the morning and seven o'clock in the evening, and as to the other streets mentioned in this section, between seven o'clock in the morning and six o'clock in the evening. Parts of certain streets not to be closed, &c. between hours named.

36. If in the course of the execution of the works of the Company it shall be found necessary to open or in any manner interfere with the footway or roadway of either Cannon Street, King William Street, or Gracechurch Street, the Company shall form and (so long as may be necessary) maintain a proper and sufficient footway or roadway in substitution for and of the same superficial extent and height as the portion or portions of the roadway or footway so opened or interfered with, and all such works shall be executed exclusively during the night; that is to say, as to Cannon Street between the hours of seven o'clock in the evening and seven o'clock in the morning, and as to King William Street and Gracechurch Street between six o'clock in the evening and seven o'clock in the morning. Substituted footways and roadways when certain streets interfered with.

37. There shall not at any time or times be any temporary or permanent shafts, openings, or other apertures in connexion with the said railway No. 1, or in the execution of the works thereof, from, through, or on the surface of any road, footway, or place within any part of the respective parishes of Saint Clement near Eastcheap, Saint Martin Orgar, Saint Mary Abchurch, and Saint Lawrence Pountney, in the city of London, except such temporary shafts as may be required in dealing with sewer alterations. No shafts, &c. in certain parishes.

38. The Company shall build and for ever afterwards maintain proper and efficient retaining walls against the soil at each side of their said line of railway No. 1, so as (as far as possible) to secure to all premises situated within either of the said parishes of Saint Clement near Eastcheap, Saint Martin Orgar, Saint Mary Abchurch, and Saint Lawrence Pountney, possessing frontages on Retaining walls to be built on each side of railway for security of premises in same parishes.

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Compensation to be made for structural injury to those premises.

39. The Company shall make proper compensation to the owners, lessees, and occupiers of any such premises as in the last preceding section mentioned for any structural or other injury of the like nature which may from the execution of the works of or in connexion with the said railway No. 1, or from the working of such railway after construction, result to the same, either by the lessening of the amount of support which such premises now receive from the soil which must be removed in the execution of such works, or from the vibration or oscillation caused by the working or otherwise of the said railway No. 1, such compensation in case of difference to be ascertained according to the provisions contained in "The Lands Clauses Consolidation Act, 1845:" Provided always, that the Company shall not be liable under this section to make compensation for or in respect of any such structural or other injury as aforesaid which shall not have occurred within three years next after the said railway shall have been completed and opened for traffic.

Compensation to occupiers in same parishes.

40. The Company shall make proper compensation to the occupiers of any premises situate within the said parishes of Saint Clement near Eastcheap, Saint Martin Orgar, Saint Mary Abchurch, and Saint Lawrence Pountney, and possessing frontages to the said line of railway No. 1, and to the several scheduled parties in respect to their respective premises aforesaid, for any loss, injury, or damage which they may respectively sustain or incur in their respective trades, businesses, or professions by reason of the execution of the works of or in connexion with the said railway, either by the access to their respective places of trade or business being either temporarily or permanently obstructed or rendered less easy of access and convenient than at present, or by the temporary or permanent obstruction, diversion, or decrease of the traffic along Cannon Street, King William Street, and Gracechurch Street, or any of them, or by rendering necessary the removal of stock or the incurring of additional costs and expenses in carrying on business, or otherwise, such compensation, in case of difference, to be ascertained according to the provisions contained in "The Lands Clauses Consolidation Act, 1845."

41. All vaults or cellars used or occupied by any of the scheduled parties in connexion with their respective business premises, or any portion or portions of such vaults or cellars respectively, shall, if taken by the Company for the purposes of the railway, be, as between the Company and the parties using or occupying such vaults or cellars, deemed to be part of the premises in connexion with which they are respectively used or occupied, and the estate or interest of the parties using or occupying the same shall, as between them and the Company, be deemed to be the same as that of the same parties in their business premises, or if there are different estates or interests in different portions of the same premises, then the same as the largest estate or interest held in any portion of the same premises, and the Company shall be liable to make compensation to those parties accordingly, such compensation, in case of difference, to be ascertained according to the provisions of "The Lands Clauses Consolidation Act, 1845."

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 Vaults or cellars in Cannon Street to be part of premises.

42. The seven last preceding sections respectively shall not extend or be deemed or construed to extend to defeat, lessen, prejudice, or abridge any right to compensation or other rights or remedies which any of the owners, lessees, or occupiers of any premises situate within either of the said parishes of Saint Clement near Eastcheap, Saint Martin Orgar, Saint Mary Abchurch, and Saint Lawrence Pountney, and possessing frontages to the said line of railway No. 1 as aforesaid, or any of the scheduled parties, may or shall have against the said Company by virtue of the general law, or of this Act, or of any of the Acts incorporated herewith, but the rights and remedies in such foregoing sections mentioned shall be in addition to such rights and remedies as last aforesaid.

Saving rights of owners, &c. of same premises.

43. The agreement dated the twentieth day of May one thousand eight hundred and seventy-four, and made between Charles Gilpin, Esquire, M.P., Charles Whetham, Jonathan Thorp, and Sir Charles Reed, Knight, of the one part, and James Goodson and Edward Frederick Devenish Walshe, of the other part, a copy of which is set forth in the second schedule to this Act, is hereby confirmed and made binding, as if the Company were parties thereto instead of the said James Goodson and Edward Frederick Devenish Walshe.

Confirming agreement with Charles Gilpin and others.

44. Where any of the intended works to be done under or by virtue of this Act shall or may pass over, under, or by the side of, or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Metropolitan Board of Works, or any vestry or district board constituted under "The

For protection of sewers of Metropolitan and other boards.

A.D. 1874. Metropolis Local Management Act, 1855, and "The Metropolis Management Amendment Act, 1862," or any Act or Acts amending the same or extending the powers thereof, or with any sewers or works to be made or executed by the said boards or vestry or either of them, or shall or may in any way affect the sewerage or drainage of the districts under their or either of their control, the Company shall not commence such work until they shall have given to the said Metropolitan Board or to the district board or vestry, as the case may be, twenty-one days previous notice in writing of their intention to commence the same, by leaving such notice at the principal office of such board or vestry, as the case may be, for the time being, with a plan and section showing the course and inclination thereof and other necessary particulars relating thereto, and until such board or vestry respectively shall have signified their approval of the same, unless such board or vestry, as the case may be, do not signify their approval, disapproval, or other directions within twenty-one days after service of the said plans, sections, and particulars as aforesaid, and the Company shall comply with and conform to all reasonable directions and regulations of the said Metropolitan Board and of the respective boards or vestries in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such boards or vestries shall reasonably require, for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works or any part thereof, and shall save harmless the said Metropolitan Board, district board, and vestry respectively against all and every 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 said Metropolitan Board, district board, or vestry, as the case may be, at the reasonable costs and expenses in all respects of the Company; and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, or expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said Metropolitan Board, district boards, and vestry respectively, and be maintained by them, as the case may be, as any sewers or works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said Metropolitan Board, district boards, and vestries, or any or either of them, or of their successors, but all such rights, powers,

and authorities shall be as valid and effectual as if this Act had not been passed. A.D. 1874.

45. The Company shall not break up or disturb any street or place, or the pavement thereof, under the control or direction of the Commissioners of Sewers of the City of London, unless at least fourteen days previous notice in writing of their intention so to do, specifying the street, place, or pavement intended to be broken up or disturbed, be given to the engineer or surveyor of such commissioners, or left for him at his office or at the office of such commissioners, and the Company shall attend to the directions of such engineer or surveyor with a view to secure a free passage in such streets and places, and to prevent needless injury to the streets, and shall not open more of such streets or places at one time than such engineer or surveyor shall in writing authorise, and when the Company shall break up or disturb any such street, place, or pavement, they shall, so soon as the works affecting it are completed, and at the furthest within three months from the day on which those works were begun, restore the street, place, or pavement to as good a condition as it was in when it was broken up or disturbed, under the superintendence and to the satisfaction of the engineer or surveyor of the commissioners, and the Company shall save harmless and keep indemnified the said commissioners and their successors against any expenses consequent on any such works, and if the Company fail to comply with the requirements of this Act they shall forfeit to the said commissioners a sum of twenty pounds for every offence, and an additional sum of twenty pounds for every day that the Company shall fail to comply with the directions of such engineer or surveyor, and the said commissioners may, if they think fit, restore the street, place, or pavement broken up or disturbed, and recover the expense of such restoration and also the said sums so forfeited from the Company in an action or action of debt.

For the protection of the streets of the city of London.

46. Where any of the works to be done under or by virtue of this Act shall or may pass over, under, or by the side of, or so as to interfere with any sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Commissioners of Sewers of the City of London, or with any sewers or works to be made or executed by the said commissioners, or shall or may in any way affect the sewage or drainage of the district under their control, the Company shall not commence such work until they shall have given to the engineer or surveyor of the said commissioners fourteen days previous notice at his office or at the principal office of the commissioners, with a plan and section showing the course and

For protection of sewers in the city of London.

[Ch. cxcix.] *The Metropolitan Inner Circle* [37 & 38 VICT.]
Completion Act, 1874.

A.D. 1874. — inclination thereof and other necessary particulars relating thereto, and until such commissioners shall have signified their approval of the same, unless such commissioners do not signify their approval, disapproval, or other directions within fourteen days after service of the said plan, section, and particulars as aforesaid, and the Company shall comply with and conform to all directions and regulations of the commissioners in the execution of the said works, and shall provide by new, altered, or substituted works, in such manner as such commissioners may deem necessary, for the proper protection of and for preventing injury or impediment to the sewers and works herein-before referred to by or by reason of the said intended works or any part thereof, and shall save harmless the said commissioners against all and every the expense to be occasioned thereby; and all such works may be done by or under the direction, superintendence, and control of the engineer or other officer or officers of the said commissioners, and at the costs, charges, and expenses in all respects of the Company, and all reasonable costs, charges, and expenses which the said commissioners may be put to by reason of the works of the Company, whether in the execution of works, the preparation or examination of plans or designs, superintendence, or otherwise, shall be paid to such commissioners by the Company on demand, and if any dispute shall arise between the Company and the said commissioners as to the amount of such costs, charges, and expenses, the same shall be settled by a justice of the peace of the city of London, and be a debt due from the Company to the said commissioners; and when any new, altered, or substituted works as aforesaid, or any works or defence connected therewith, shall be completed by or at the costs, charges, and expenses of the Company under the provisions of this Act, the same shall thereafter be as fully and completely under the direction, jurisdiction, and control of the said commissioners as any sewers or works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the rights, powers, or authorities vested or to be vested in the said commissioners or their successors, but all such rights, powers, and authorities shall be as valid and effectual as if this Act had not been passed.

Company
empowered
to underpin
or otherwise
strengthen
houses near
railway.

47. And whereas, in order to avoid injury to the houses and buildings within one hundred feet of the railway, it may be necessary to underpin or otherwise strengthen the same, therefore it shall be lawful for the Company, at their own costs and charges, to underpin or otherwise strengthen any such house or building: Provided that at least ten days notice shall, unless in case of emergency, be given to the owner, lessee, and occupier of the house

or building intended to be underpinned or otherwise strengthened, each such notice to be left on the premises, and that the Company shall be liable to compensate the owner, lessee, and occupier of every such house or building for any inconvenience, loss, or damage which may result to them by reason of the exercise of the powers granted by this enactment: Provided also, that if the owner, lessee, or occupier of any such house or building shall give within seven days after that notice counter-notice in writing that he disputes the necessity of such underpinning or strengthening, the question of the necessity shall be referred to an engineer to be agreed upon, or in case of difference to a civil engineer to be appointed at the instance of either party by the Board of Trade, and such referee shall forthwith, upon the application of either party, proceed to inspect such house or building and determine the matter referred to him, and in the event of his deciding that such underpinning or strengthening is necessary he may, in his discretion, prescribe the mode in which the same shall be executed, and the Company may and shall proceed forthwith so to underpin or strengthen the said house or building, and the cost of such referee shall be paid by the Company, and the cost of the reference (other than the cost of the referee) shall be in the discretion of the referee: Provided that nothing in this enactment contained, nor any dealing with the property in pursuance of this enactment Act shall relieve the Company from the liability to compensation under the 68th section of "The Lands Clauses Consolidation Act, 1845," or under any other Act: Provided also, that every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions contained in "The Lands Clauses Consolidation Act, 1845."

A.D. 1874.

48. In every case in which any question of disputed compensation shall be required to be determined by the verdict of a jury in the city of London or the liberties thereof, the jury shall be required to appear before the Court of the Mayor and Aldermen of the City of London to be holden in the outer chamber of the Guildhall of the said city, according to the custom of the said city, at a time to be appointed by the said Court, and all the directions and provisions contained in "The Lands Clauses Consolidation Act, 1845," in respect to the settlement of questions of disputed compensation by juries appearing before the sheriff, coroner, or other person, shall extend and be applied with respect to the settlement of any such question of disputed compensation under this Act by juries appearing before the said Court of Mayor and Aldermen as aforesaid, and the said Court shall give judgment for the purchase money or compensation assessed by such jury, and a verdict and

Questions of disputed compensation in land to be heard in the Lord Mayor's Court of the city of London.

[Ch. cxcix.] *The Metropolitan Inner Circle* [37 & 38 VICT.]
Completion Act, 1874.

A.D. 1874. judgment shall be signed by the registrar of the said Court of Mayor and Aldermen and entered among the records of the said court, and the said registrar shall settle the costs of every such inquiry.

As to width
of new street.

49. Subject to the provisions of this Act, the Company shall make the new street described in sub-paragraph (A) of the sixth section of this Act of the clear width of not less than sixty feet, exclusive of the sites for the houses of the new street, throughout the entire length of the same: Provided always, that between the commencement and the termination of that new street, and also between the points at which the widenings by this Act authorised of other streets will respectively commence and terminate, the Company may leave openings for the purposes of affording access, or light or air, to the railway, such openings to be agreed upon between the Company and the corporation, or, failing agreement between them, to be determined by an engineer to be appointed on the application of either party by the Board of Trade.

Plans, &c.
of houses of
new street
to be ap-
proved by
the Metro-
politan
Board of
Works.

50. In the event of the Metropolitan Board of Works subscribing towards the new street, the houses, erections, and buildings of such new street shall be constructed upon such elevation or respective elevations as the Metropolitan Board of Works shall, before any such houses, erections, and buildings are commenced, approve, such approval to be testified by writing under the hand of their chairman, and any house, erection, or building in the line of the said new street which the Company shall acquire, but which shall not be removed or rebuilt by them, shall be so altered by the Company as may be required or approved by the Metropolitan Board of Works, in writing under the hand of their chairman, for the purpose of rendering the frontage or elevation of such house, erection, or building uniform, or as nearly so as may be, with the frontage or elevation of the other houses of the said street.

Plans, &c.
of houses of
new streets
to be ap-
proved by
the Commis-
sioners of
Sewers.

51. The houses, erections, and buildings of the proposed widening and improvements of streets by this Act authorised shall be constructed upon such elevation or respective elevations as the Commissioners of Sewers shall, before any such houses, erections, and buildings are commenced, approve, such approval to be testified by writing under the hand of their engineer or surveyor, and any house, erection, or building in the line of any of such widening or improvements which the Company shall acquire, but which shall not be removed or rebuilt by them, shall be so altered by the Company as may be required or approved by the said commissioners, by writing under the hand of their engineer or surveyor, for the purpose of rendering the frontage or elevation of such house,

erection, or building uniform, or as nearly so as may be, with the frontage or elevation of the other houses of the street. A.D. 1874.

52. Nothing in this Act contained shall affect or prejudice or exempt the Company or any of the works by this Act authorised from the provisions or any of the provisions of the Metropolitan Building Acts, "The Metropolis Management Act, 1855," "The Metropolis Management Amendment Act, 1856," "The Metropolis Management Amendment Act, 1858," "The Metropolis Management Amendment Act, 1862," or of any of the Acts relating to the Metropolitan Board of Works.

Saving Metropolitan Building Acts and Acts relating to the Metropolitan Board of Works.

53. All works, matters, or things which under the provisions of "The Railways Clauses Consolidation Act, 1845," or this Act, the Company may be empowered or required to do and execute with reference to the mains, pipes, syphons, plugs, or other works of any water and gas companies respectively shall be done and executed by and at the cost of the Company, but to the satisfaction and under the superintendence of the engineer for the time being of the company to whom such mains, pipes, syphons, plugs, and other works shall respectively belong, and such works, matters, or other things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the companies to whom such mains, pipes, syphons, plugs, and other works shall respectively belong, and any difference as to this provision, or the manner of carrying out the same, shall be settled by an engineer to be appointed by the Board of Trade.

All works connected with water and gas companies to be executed to satisfaction of their engineers.

54. If any interruption whatsoever in the supply of water or gas by any water or gas company shall be in any way occasioned by the Company, or by the acts of any of their contractors, agents, workmen, or servants, or any person in the employ of them or any or either of them, the Company shall forfeit and pay to such water or gas company, for the use and benefit of such water or gas company, the sum of ten pounds for every hour during which such interruption shall continue, such sum to be recovered by such water or gas company in any court of competent jurisdiction.

Penalty for interrupting the supply of water or gas.

55. It shall be lawful for any water and gas company, and their engineers, workmen, and others in their respective employment, at all times when it may be necessary to enter upon the railway, lands, and premises of the Company at any point or place where there are existing mains or pipes of such company, and to do all such works in and upon such railway, lands, and premises as may be necessary for repairing, maintaining, or removing or replacing such mains or pipes under or over the same railway, lands, and

Water and gas companies empowered to lay and repair pipes on lands of Company.

[Ch. cxcix.] *The Metropolitan Inner Circle* [37 & 38 VICT.]
Completion Act, 1874.

A.D. 1874. — premises: Provided always, that in so doing such water or gas company, or their engineers or workmen, or others in the employment of such company, shall not interfere with or interrupt the traffic passing on the railway or any of the railways by this Act authorised; and provided also, that such water or gas company shall make good and reimburse to the Company all damages to the railway or works by this Act authorised occasioned by the exercise of the powers by this clause reserved.

Repairs of
water pipes,
&c. to be
borne by
Company in
certain cases.

56. The expense of all repairs or renewals of the said pipes or mains, or any works in connexion therewith, which may at any time hereafter be rendered necessary by the acts or defaults of the Company, their contractors, agents, workmen, or servants, or any person in the employ of them or any or either of them, shall be borne and paid by the Company, and may be recovered against them by the said water and gas companies respectively in any court of competent jurisdiction.

As to works
connected
with new
streets.

57. Subject to the provisions of this Act, and in accordance with the deposited plans, or within the limits thereon defined, the Company may, in connexion with the new streets or any of them, and as part of the works by this Act authorised and for the purposes thereof, make junctions and communications with any existing streets which may be intersected or interfered with by or be contiguous to the new streets, and make diversions, widenings, or alterations of lines or levels of any existing streets for the purpose of connecting the same with the new streets, and remove, alter, divert, stop up, enclose, use; or appropriate all or any part of any street, square, place, court, alley, or passage, whether a thoroughfare or not, or of any thoroughfare, road, lane, or way, or of any stream, drain, sewer, or other property within the limits of lateral deviation defined on the deposited plans, providing a proper substitute before interrupting the flow of sewage in any drain or sewer; provided always, that they shall not be bound or required to cause any other street, road, court, alley, footpath, or passage (other than the new streets) to be made instead of any street, road, court, alley, footpath, or passage so stopped up; provided also, that the powers conferred upon the Company by this section shall not be exercised by the Company save and except to such extent and in such manner as shall be from time to time approved by the corporation; provided also, that if any difference shall arise between the Company and the corporation with reference to the exercise of any of the powers conferred by this section, every such difference shall be referred to and determined by an engineer to be appointed on the application of either party by the Board of Trade.

58. In making the new streets the Company may, subject to the provisions of this Act, deviate to any extent not exceeding two feet from the levels defined on the deposited sections, and may, subject as aforesaid, deviate from the lines of the new streets within the limits of deviation defined upon the deposited plans, but the Company shall not deviate beyond the last-mentioned limits without the consent of the person through whose lands any such deviation shall be made.

A.D. 1874.
 Power to deviate from levels of new streets.

59. The Company shall open for traffic the new streets before opening for traffic any part of the railway.

Provisions with respect to the opening of the new streets.

60. When the roadways and footways of the new streets are respectively completed and paved, they shall become public highways, and thenceforth such roadways and footways, with the sole power, authority, and duty of paving, repairing, cleansing, and lighting the same, and for those purposes of rating hereditaments within the same, shall be under the like care, management, control, and jurisdiction as other public streets within the parishes in which the new streets respectively will be situate.

Ground laid open into new streets to form part thereof, and to be under the care of local authorities.

61. The Company shall construct and maintain, on the line by this Act authorised between Bush Lane and Dowgate Hill, a station for the interchange of traffic between the railways of the Company and the Cannon Street Station of the South-eastern Railway Company. The said station of the Company shall be constructed partly beneath Cannon Street and other roads, and partly beneath the forecourt or approaches to the said Cannon Street Station, on land belonging to the South-eastern Railway Company, and in the construction thereof the works already executed at that place for the Metropolitan District Railway Company shall be utilised as far as possible. The plans, sections, drawings, and specifications of the station so to be constructed, and the works connected therewith, shall be submitted by the engineer of the Company to the engineer of the South-eastern Railway Company for his approval, and the construction of the said station and works shall be carried out under his superintendence and to his satisfaction; and in the event of any difference arising between the engineer of the Company and the engineer of the South-eastern Railway Company with reference thereto, such difference shall be referred to an engineer to be appointed by the President of the Institution of Civil Engineers for the time being, whose decision shall be final. The Company shall acquire an easement only in the land of the South-eastern Railway Company required for the construction

As to interchange station with South-eastern Railway Company.

A.D. 1874. — of the said station, on payment of a nominal consideration for the same.

Company before interfering with approaches to Cannon Street Station to make substituted approaches, &c.

62. Before commencing any work whereby or by reason whereof any approaches belonging to the South-eastern Railway Company to the Cannon Street Station of that company may be obstructed or interfered with, the Company shall cause a sufficient approach to be made, to the satisfaction of the engineer of that company, instead of the one so to be obstructed or interfered with, and shall, during the continuance of such obstruction or interference, at their own expense, maintain to the like satisfaction such substituted approach. Any difference between the two companies as to any matter referred to in this section shall be determined by arbitration in manner provided by "The Railway Companies Arbitration Act, 1859."

Penalty for breach as to such substituted approaches.

63. If the Company do not cause sufficient approaches to be so made before they so obstruct or interfere with any such existing approach, or if they fail to maintain such substituted approach as herein-before prescribed, the Company shall forfeit and pay to and for the use of the South-eastern Railway Company the sum of one hundred pounds for every day during which such substituted approach shall not be so made after the existing approach shall have been obstructed or interfered with, and for every day during which they shall so fail to maintain such substituted approach.

Company may grant building leases of ground not wanted for purposes of this Act.

64. As regards all lands and hereditaments which shall be purchased or otherwise acquired by the Company under the provisions of this Act, and which shall not be wanted for the purposes of the railway or of the roadways or footways of the new streets, it shall be lawful for the Company, subject to the provisions of this Act, and save and except as in this Act otherwise provided, when and as they shall think fit, to demise and lease such ground and hereditaments, or such part thereof as they shall think it expedient to let, on building leases, either together or in parcels, to any person or persons who shall erect and build, or covenant and agree to erect and build thereon or on any part or parts thereof houses, erections, and buildings, for such number of years and under such conditions as the Company may think fit, and either at a rent or without any rent, but so that in every such demise or lease there be contained a covenant for the payment of the rent, if any shall be thereby reserved, and also such other covenants on the part of the tenant or lessee therein to be named as the Company shall reasonably require, and a clause in the nature of a condition of re-entry on non-payment of the rent (if any) thereby to be reserved, or on

A.D. 1874.

non-performance of the covenants therein to be contained on the part of the tenant or lessee to be observed and performed, and that the lessee or lessees named in every such lease shall execute a counterpart thereof; and on the negotiation for any such lease the Company may, if they think fit, accept and take any fine for the granting thereof, and may enter into any agreement for the granting any lease or leases on such terms and conditions as they may think fit, and, on the granting of the leases in pursuance of such agreement, may alter the amount of the rents agreed to be reserved on such leases, and may apportion the same, and grant separate leases of any part of the hereditaments by any such agreement agreed to be leased, as they may think fit, and may also, as they think fit, alter or rescind any agreement as aforesaid, and may accept any surrender of any lease granted, for the purpose of granting separate leases of the same premises at apportioned rents, or under different covenants, or otherwise, in all respects as the Company shall think fit; and further, any part of the said lands may be appropriated for open places or for yards or courts to be attached to any houses to be leased, as the Company shall think fit.

65. As soon as conveniently may be, and either before or after the houses, erections, and buildings to be erected and built as lastly herein-before is mentioned, or any of them, shall be finished and completed, and either before or after such leases as last aforesaid shall have been granted, the Company shall and they are hereby authorised and required to sell and dispose of the ground-rents to be reserved by the leases or demises in pursuance or in consideration of which the same houses or buildings respectively shall have been erected and built, or shall be agreed to be erected and built, and also the reversion and inheritance in fee simple in possession (subject to any such lease, or demise, or agreement,) of the pieces or parcels of ground thereby demised or agreed to be demised, and such houses and other buildings thereon, either altogether or in parcels, by public auction or private contract, for such prices or sums of money as the Company shall think reasonable, and subject to such stipulations and provisions as to the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon, and also subject to such stipulations as to the title to be produced to the hereditaments to be sold, as the Company shall think fit, and the Company shall, at the costs and charges of the purchaser of the same premises respectively, upon payment of the sum or sums of money agreed to be given for the same respectively to the Company, convey and assure the piece or parcel of ground so purchased by such purchaser, together with the houses,

Power to
Company to
sell the
ground-
rents and
reversions
comprised
in such
leases.

A.D. 1874. — erections, and buildings then erected and built or to be erected and built thereon respectively, and the fee simple and inheritance thereof, with the appurtenances, to such purchaser, his heirs and assigns, or as he or they shall in that behalf direct, free from all incumbrances except the building lease or building leases or agreement or agreements to be granted thereof by virtue of this Act.

Power to grant rights of building over railway or works.

66. It shall be lawful for the Company to demise or lease for such number of years as they shall think expedient, or to sell in perpetuity, to any person or persons, the right to build over any parts of the railway or works of the Company, or any other rights or easements over or under any lands and hereditaments which shall have been purchased or otherwise acquired under the provisions of this Act, upon such terms and subject to such exceptions, reservations, restrictions, and other provisions as the Company may think expedient, and also in like manner to sell the rents to be reserved by any such demise or lease, and the buildings and erections erected and set up in pursuance thereof, and the reversion and inheritance of the premises therein comprised; and the provisions herein-before contained with reference to any demises or leases to be granted of lands and hereditaments which shall not be wanted for the purposes of the railway or of the roadways or footways of the new streets, and for the sale of the ground-rents, and of the reversion and inheritance of the premises comprised in such last-mentioned demises or leases, shall be applicable to all demises and leases and sales under the provisions of this section: Provided always, that the Company shall not under the provisions of this Act be under any obligation to sell or dispose of the ground-rents or reversion and inheritance of the premises comprised in any demises or leases granted under the provisions of this section.

Power to Company to sell any ground which may not be wanted for the purposes of this Act.

67. Save and except as in this Act otherwise provided, it shall be lawful for the Company to sell, in manner and subject as aforesaid, and absolutely to grant and convey, any of the lands which shall be purchased or otherwise acquired by the Company as aforesaid, and which shall not be wanted for the purposes of this Act, and which they shall not think it expedient to let on building leases as aforesaid, subject nevertheless to such stipulations and conditions as they may think fit, and thereupon the same shall be conveyed and assured by the Company as they shall think fit.

Application of moneys arising from sale of lands

68. The Company shall apply all the moneys arising by any such sale or disposition respectively as aforesaid, after paying all expenses incident to such sales or dispositions, and satisfying all

lawful demands to which the lands, rents, and premises so respectively sold or disposed of shall be liable, and also apply all the rents and profits of the lands and premises to be acquired by the Company under the provisions of this Act, for and towards the carrying the purposes of this Act into execution.

A.D. 1874.
or from
rents.

69. Nothing in this Act contained shall authorise the Company to enter upon, take, use, or interfere with any land or premises shown on the deposited plans and described in the deposited books of reference which at the date of the passing of this Act belong to the London and Saint Katharine Docks Company, or in which that company have any interest by agreement or otherwise, without in every case the previous consent of the said company in writing under their common seal.

For protection of the London and Saint Katharine Docks Company.

70. If and while the Company are possessed under this Act of any lands in the Metropolis assessed or liable to be assessed to any sewers rate, consolidated rate, main drainage rate, poor rate, church rate, general purposes rate, or any other parochial or ward rate, they shall from time to time, until the railway or the works thereof are completed and assessed or liable to be assessed thereto, be liable to make good the deficiency in the assessment for such rates by reason of those lands being taken or used for the purposes of the railway or works, and the deficiency shall be computed according to the rental at which those lands, with any buildings thereon, are now rated.

Company to make good parochial rates until works are assessed.

71. The Company shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the Company have made known their intention to take the same in manner herein-before required.

Notice to be given of taking of houses of labouring classes.

72. The Company may from time to time, if and when they think fit, appropriate any lands acquired by them under the powers of this Act, and which may not be required for the railway and streets, for the purpose of the erection of dwelling-houses or buildings for persons belonging to the labouring classes whose dwellings may be required for the works by this Act authorised.

Power for Company to appropriate lands for the erection of dwelling-houses for the labouring classes.

A.D. 1874.

Trains for
labouring
classes.

73. The Company shall and they are hereby required, at all times after the opening of the railway for public traffic, to run every day in the week (Sunday, Christmas Day, and Good Friday always excepted), at such hours, not being later than seven in the morning or earlier than six in the evening respectively, as may be most convenient for the labouring classes resident at or beyond or in the neighbourhood of the railway, and resorting to or returning from their work in the neighbourhood of or beyond the railway, and at fares not exceeding twopence per passenger for each journey, a train in the morning and a train in the evening, each of which trains shall call at all stations on the railway: Provided, that in case of any complaint made to the Board of Trade of the hours appointed by the Company for such trains, the said Board shall have power to fix and regulate the same from time to time; and also, that if, in any continuous period of six months, it shall be found that less than one hundred of such passengers shall have been conveyed by each of such trains, the Company, on proof of that fact to the satisfaction of the Board of Trade, may discontinue the running of such trains, but the said Board may at any time order the resumption thereof by the Company if it shall seem to the said Board desirable so to do.

Limiting
compensa-
tion for
injury to
such pas-
sengers.

74. The liability of the Company under any claim to compensation for injury or otherwise in respect of each passenger travelling by any such train at the fare aforesaid is by this Act limited to a sum not exceeding one hundred pounds, and the amount of compensation payable in respect of any passenger so injured shall be determined by an arbitrator to be appointed by the Board of Trade, and not otherwise.

For indem-
nifying
incumbents
of parishes,
&c.

75. And for indemnifying the rectors or other incumbents of the several parishes through which the railway or in which the works or buildings belonging thereto will be constructed, and the improPRIATORS of the rectories and tithes, or other persons entitled to the tithes of the said parishes, their respective successors, heirs, and assigns, against such loss as may accrue to them respectively by reason of taking down or using or causing to be vacant under the powers of this Act any houses or other buildings in the said parishes or any of them, be it enacted, that after the occupiers of any of the said houses or other buildings shall have quitted the possession thereof in pursuance of this Act, and until new houses or other buildings shall be erected, completed, and occupied on the ground which shall be cleared under any of the provisions of this Act within the said parishes respectively of such an annual rent or value that the tithes or yearly sums of money by way or in lieu

of tithes for the time being actually payable for such new houses or other buildings shall be fully equal to the tithes or yearly sum of money by way or in lieu of tithes payable for the houses or other buildings so for the time being quitted by the occupiers thereof as aforesaid, the tithes or yearly sums of money, or customary payments in lieu of tithes, payable in respect of the houses or other buildings within the said parishes respectively which shall be so quitted as aforesaid (according to the last assessments thereof), or annual sums of money equal to the loss in tithes, or sums of money, or customary payments in lieu of tithes, which the said rectors and impropriators, or other persons entitled as aforesaid, their respective successors, heirs, or assigns, may sustain by the want of occupiers in or by the taking down of such houses or other buildings respectively (estimated as aforesaid), shall be paid and payable by the Company to the said several rectors and impropriators, or other persons entitled as aforesaid, their respective successors, heirs, and assigns, clear of all taxes and deductions, on the twenty-fifth day of March, the twenty-fourth day of June, the twenty-ninth day of September, and the twenty-fifth day of December, by equal payments, in each and every year, the first payment thereof respectively to be made on such of the said days as shall first happen after the occupiers of any such houses or other buildings in the said parishes respectively shall have quitted the same as aforesaid; and such sums of money to be paid and made good as aforesaid shall diminish in proportion as the tithes or yearly sums of money by way or in lieu of tithes accrue and become payable for new houses or other buildings erected, completed, and occupied on ground which shall be so cleared within the said parishes respectively as aforesaid; and in case such sums of money so made payable by the Company shall not be paid within twenty-one days after the same respectively shall become due, the same may be recovered in the manner prescribed by "The Railways Clauses Consolidation Act, 1845," with respect to the recovery of damages not specially provided for: Provided that nothing herein contained shall prejudice the right of the said rectors and impropriators, or other persons entitled as aforesaid, to tithes or yearly sums of money by way or in lieu of tithes for any buildings which may hereafter be erected under the powers of this Act on ground now vacant.

76. Whereas, pursuant to the standing orders of both Houses of Parliament, and to an Act of the ninth and tenth years of Her present Majesty, chapter 20, the sums of sixty-six thousand seven hundred and ninety-two pounds Bank annuities and of sixty-seven thousand one hundred and fifty-seven pounds new three per cent.

Railway
deposit
money not
to be repaid
until line
opened or
half the

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Completion Act, 1874.

A.D. 1874.
—
capital paid
up and ex-
pended.

annuities, being together, at the prices at which the same were purchased, equal to the aggregate of five per centum upon the amount of the estimate of the expense of the railways proposed to be authorised by the Bill for this Act as originally introduced into Parliament, and four per centum upon the amount of the estimate of the expense of the works other than railways by this Act authorised, were transferred into the name of the Paymaster General on behalf of the Court of Chancery in England in respect of the application to Parliament for this Act: And whereas the said railways included railways and parts of railways which were struck out of the said Bill during its progress through Parliament: And whereas the estimate for the railways by this Act authorised amounts to seven hundred and thirty thousand pounds, five per centum upon which sum is equal to thirty-six thousand five hundred pounds: Be it enacted, notwithstanding anything contained in the said Act, that of the said sum of Bank annuities so transferred as aforesaid the sum of thirty-nine thousand seven hundred and twenty-eight pounds, representing the said sum of thirty-six thousand five hundred pounds, (which portion of the Bank annuities so transferred as aforesaid is herein-after referred to as "the railway deposit securities,") shall not be transferred to or on the application of the person or persons, or the majority of the persons, named in the warrant or order issued in pursuance of the said Act, or the survivors or survivor of them, unless the Company shall, previously to the expiration of the period limited by this Act for the completion of the railway, either open the railway for the public conveyance of passengers or prove to the satisfaction of the Board of Trade that the Company have paid up one half of the said sum of seven hundred and thirty thousand pounds, part of the capital by this Act authorised to be raised by means of shares, and have expended for the purposes of the railways by this Act authorised a sum equal in amount to such one half of the said part of the said capital; and if the said period shall expire before the Company shall either have opened the railway for the public conveyance of passengers or have given such proof as aforesaid to the satisfaction of the Board of Trade, the railway deposit securities shall be applied in the manner herein-after specified; and the certificate of the Board of Trade that such proof has been given to their satisfaction as aforesaid shall be sufficient evidence of the fact so certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Providing
for applica-
tion of

77. The railway deposit securities shall be applicable, and after due notice in the London Gazette shall be applied, towards compen-

sating any landowners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the railway or any portion thereof, or who may have been subjected to injury or loss in consequence of the compulsory powers of taking property for the railway conferred upon the Company by this Act, and for which injury or loss no compensation or inadequate compensation shall have been paid, and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the Court of Chancery in England may seem fit; and if no such compensation shall be payable, or if a portion of the railway deposit securities shall have been found sufficient to satisfy all just claims in respect of such compensation, then the railway deposit securities, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid to or for the account of Her Majesty's Exchequer in such manner as the Court of Chancery in England thinks fit to order, on the application of the Solicitor of Her Majesty's Treasury, and shall be carried to and form part of the Consolidated Fund of the United Kingdom, or, in the discretion of the Court, if the Company is insolvent and has been ordered to be wound up or a receiver has been appointed, shall wholly or in part be paid to such receiver or to the liquidator or liquidators of the Company, or be otherwise applied as part of the assets of the Company, for the benefit of the creditors thereof; provided that until the railway deposit securities shall have been repaid to the depositors or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the person or persons, or the majority of the persons, named in such warrant or order as aforesaid, or the survivors or survivor of them.

A.D. 1874.
—
railway
deposit in
compensa-
tion to
parties in-
jured.

78. On the application of the persons named in the warrant or order issued in pursuance of the said Act of the ninth and tenth years of Her present Majesty, chapter 20, or of the survivors or survivor of them, or of the majority of such persons or survivors, or of the executors or administrators of the last survivor, by petition in a summary way, at any time after the passing of this Act, the High Court of Chancery may and shall order that the balance of the Bank annuities so transferred as aforesaid over and above the said sum of thirty-nine thousand seven hundred and twenty-eight pounds like annuities, and the said new three per cent. annuities transferred as aforesaid, and the interest and dividends thereof respectively, shall be paid to the persons or person so applying, or to

Release of
balance of
money de-
posited.

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Completion Act, 1874.

A.D. 1874. — any other person or persons whom they or he may appoint in that behalf.

Period for completion of works.

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

Tolls.

80. The Company may demand and take for the use of the railway, and of carriages when provided by them, any tolls not exceeding the following ; (to wit,)

In respect of the tonnage of all articles conveyed upon the railway or any part thereof, as follows :

For all coals, coke, ironstone, iron ore, pig iron, rod iron, bar iron, sheet iron, hoop iron, plates of iron, slabs, billets, and rolled iron, limestone, lime, bricks, salt, sand, fire-clay, cinders, slag, and stone, per ton not exceeding one shilling ; and if conveyed in carriages belonging to the Company, an additional sum per ton not exceeding fourpence :

For all dung, compost, and all sorts of manure, and for all undressed materials for the repair of public roads or highways, and for heavy iron castings, including railway chairs, and for all culm, charcoal, and all stones for building, pitching, and paving, all tiles, slates, and clay (except fire clay), sugar, grain, corn, flour, hides, dye-woods, earthenware, timber and deals, metals (except iron), nails, anvils, vices, and chains, and for light castings, and for all cotton and other wools, drugs, manufactured goods, and all other wares, merchandise, articles, matters, or things, per ton not exceeding one shilling and sixpence ; and if conveyed in carriages belonging to the Company, an additional sum not exceeding sixpence :

And for every carriage of whatever description, not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform not belonging to the Company, not exceeding two shillings and sixpence ; and the sum of fourpence for every additional quarter of a ton or fractional part of a quarter of a ton which such carriage may weigh.

In respect of passengers and animals conveyed in carriages on the railway, as follows :

For any person conveyed in or upon any such carriage any sum not exceeding sixpence ; and if conveyed in or upon any carriage

belonging to the Company, an additional sum not exceeding one penny : A.D. 1874.

For every horse, mule, or other beast of draught or burthen, not exceeding one shilling and sixpence ; and if conveyed in or upon any carriage belonging to the Company, an additional sum not exceeding sixpence :

For every ox, cow, bull, or head of neat cattle, not exceeding sixpence ; and if conveyed in or upon any carriage belonging to the Company, an additional sum not exceeding twopence :

For every calf or pig, sheep or lamb, or other small animal, not exceeding twopence ; and if conveyed in or upon any carriage belonging to the Company, an additional sum not exceeding one halfpenny.

81. The tolls which the Company may demand for the use of engines or other power for propelling carriages on the railway shall not exceed one third of the sum herein-before allowed for the user of the railway for each passenger or animal, or for each ton of goods or other articles, in addition to the several other tolls or sums by this Act authorised to be taken. Tolls for propelling power.

82. The following provisions and regulations shall be applicable to the fixing of such tolls ; (that is to say,) Regulations as to tolls.

For a fraction of a ton the Company may demand toll according to the number of quarters of a ton in such fraction ; and if there be a fraction of a quarter of a ton, such fraction shall be deemed a quarter of a ton :

With respect to all articles except stone and timber, the weight shall be determined according to the usual avoirdupois weight :

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton, and so in proportion for any smaller quantity.

83. And with respect to small packages and single articles of great weight, notwithstanding the rate of tolls prescribed by this Act, the Company may lawfully demand the tolls following ; (that is to say,) Tolls for small parcels and single articles of great weight.

For the carriage of small parcels the Company may demand any sum which they think fit, not exceeding the rates following :

Not exceeding in weight seven pounds, threepence :

Exceeding seven and not exceeding fourteen pounds, five-pence :

Exceeding fourteen and not exceeding twenty-eight pounds, seven-pence :

A.D. 1874.

Exceeding twenty-eight and not exceeding fifty-six pounds, ninepence :

Exceeding fifty-six and not exceeding five hundred pounds, such sum as they think proper :

Provided always, that articles sent in large aggregate quantities, although made up of separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but such term shall apply only to single parcels in separate packages.

For the carriage of any one boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, the Company may demand such sum as they think fit, not exceeding five shillings per ton :

For the carriage of any single piece of timber, stone, or machinery, or other single article, the weight of which, including the carriage, shall exceed eight tons, the Company may demand such sum as they think fit.

Through
passengers
luggage.

84. Every passenger booked through to or from any other line of railway, travelling upon the railway, may carry with him his ordinary luggage, not exceeding one hundred and twenty pounds in weight for first-class passengers, one hundred pounds in weight for second-class passengers, and sixty pounds in weight for third-class passengers, without any charge being made for the carriage thereof.

Local pas-
sengers
luggage.

85. Every passenger (not being a passenger booked through to or from any other line of railway) travelling upon the railway may carry with him his ordinary luggage, not exceeding forty pounds in weight, without being liable to make any payment in respect of the same to the Company, and for every article of luggage which, together with any other luggage so carried, shall exceed forty pounds, the Company may demand for the same any sum not exceeding fourpence : Provided always, that the Company shall not be required to convey for any one passenger (not being a passenger booked through to or from any other line of railway) more than one hundred and twenty pounds weight of luggage.

Maximum
rate of
charge for
passengers.

86. The maximum rate of charge to be made by the Company for the conveyance of passengers upon the railway, including the tolls for the use of the railway, and of stations, and of carriages, and for locomotive power, and for every other expense incidental to such conveyance, shall not exceed the following sums :

For every passenger conveyed in or upon a first-class carriage, the sum of fourpence :

For every passenger conveyed in or upon a second-class carriage, A.D. 1874.
the sum of threepence :

For every passenger conveyed in or upon a third-class carriage, the
sum of twopence.

87. And with respect to the conveyance of horses, cattle, Maximum
rates of
charges for
cattle, &c.
carriages, and goods, the maximum rates of charges to be made
upon the railway by the Company, including the tolls for the
user of the railway, and of waggons or trucks and locomotive power,
and every expense incidental to such conveyance, (except a
reasonable sum for loading, covering, and unloading goods at any
terminal station, and for delivery and collection of such goods, and
any other services incidental to the business or duty of a carrier,
where such services or any of them are or is performed by the
Company,) shall not exceed the following sums :

For every horse or other beast of draught or burthen before
classed with horses, the sum of ninepence :

For every ox, cow, bull, or head of neat cattle, the sum of six-
pence :

For every calf or pig, the sum of twopence :

For every sheep, lamb, or other small animal, the sum of two-
pence :

For every carriage, the sum of one shilling :

For coals, coke, ironstone, and other articles herein-before classed
therewith, the sum of fourpence per ton :

For manure, culm, cotton, and other articles herein-before classed
therewith, the sum of sixpence per ton.

88. No station shall be considered a terminal station in regard Terminal
station.
to any goods conveyed on the railway unless such goods have been
received thereat direct from the consignor or are directed to be
delivered thereat to the consignee.

89. The restrictions as to the charges to be made for passengers Foregoing
charges not
to apply to
special
trains.
shall not extend to any special train run upon the railway, in respect
of which the Company may make such charges as they think fit,
but shall apply only to the ordinary and express trains appointed
from time to time by the Company for the conveyance of passengers
and goods upon the railway.

90. Nothing in this Act shall prevent the Company from taking Company
may take
increased
charges by
agreement.
any increased charges, over and above the charges by this Act
limited, for the conveyance of animals or goods of any description
by agreement with the owners or persons in charge thereof, either
by reason of any special service performed by the Company in

A.D. 1874. — relation thereto, or in respect to the conveyance of animals or goods (other than small parcels) by passenger trains.

Company not bound to carry manure or other offensive matter.

91. Nothing herein contained shall render it compulsory on the Company to carry on the railway any night-soil, dung, manure, compost, or other offensive matter.

Powers of running over railway.

92. Subject to the provisions of this Act the Metropolitan Railway Company and the Metropolitan District Railway Company may respectively run over and use with their engines and carriages, and with their clerks, officers, and servants, and for the purposes of traffic of every description, the railways by this Act authorised, together with all stations, sidings, watering-places, water, booking offices, watercourses, sidings, approaches, works, and conveniences connected therewith respectively, upon such terms and conditions, and on payment of such tolls, rates, and duties, as may be agreed upon between the said companies respectively and the Company, or, failing agreement, as may be settled by arbitration in manner provided by "The Railway Companies Arbitration Act, 1859."

Regulations and byelaws on railways used to be observed.

93. Each of the said companies, in exercising the powers by this Act conferred of running over and using, shall at all times observe the reasonable regulations and byelaws for the time being in force or in respect to the railway or portion of railway run over or used, so far as such regulations and byelaws are applicable to them.

For protection of local traffic.

94. Neither of the said companies, in exercising the powers by this Act conferred of running over or using, shall interfere with the local traffic of the Company by taking up passengers at any station on the said railways and setting them down at any other station on such railways.

Traffic arrangements, &c. with other railway companies.

95. The Company on the one hand, and the ten companies or any one or more of those companies on the other hand, may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," as amended or varied by "The Regulation of Railways Act, 1873," from time to time enter into and carry into effect contracts or agreements with respect to the following purposes, or any of them, and any incidental matters; (that is to say,)

The use by any or either of the contracting companies of all or any part of the railway and undertaking of the Company :

The interchange, accommodation, conveyance, and delivery by any or either of the contracting companies of the traffic coming from or destined for the respective undertakings of the contracting companies :

The levying, fixing, and collection, division, and appropriation of the tolls, rates, charges, receipts, and revenues levied, taken, or arising in respect of or from such traffic : A.D. 1874.

The payments, allowances, rents, rebates, and drawbacks to be made, and the conditions to be performed with respect to any of the matters aforesaid.

96. Upon the completion of the railway and upon the completion of the new streets to the satisfaction of the Commissioners of Sewers of the City of London, and the handing over by the Company of such new streets to the said Commissioners of Sewers, the Commissioners of Sewers shall pay to the Company in sterling money the sum of one hundred and thirty thousand pounds. Commiss-
sioners of
Sewers to
contribute
£130,000
when works
completed.

97. If the Commissioners of Sewers of the City of London contribute not less than one hundred and thirty thousand pounds towards the new streets, then, upon the opening for public traffic of both of the railways by this Act authorised, and the completion to the satisfaction of the Metropolitan Board of Works and opening to the public of the new streets, but not otherwise, the board shall, upon the demand in writing of the chairman of the Company, pay to the Company the sum of three hundred and seventy thousand pounds as a contribution towards the cost of making the new street hereby authorised from King William Street to Fenchurch Street. Metropolitan
Board of
Works to
contribute
towards cost
of new
streets, &c.,
when same
completed.

98. The Commissioners of Sewers for the City of London may borrow from the Metropolitan Board of Works or from any other corporation or persons, and the board may lend to the commissioners on the security of the rate made and levied by them, and called the consolidated rate, on such terms as to interest and repayment, and for such terms of years, as those bodies or persons may agree on, the sum of one hundred and thirty thousand pounds, or any part thereof, to be contributed by the commissioners towards the new streets. Power for
Metropolitan
Board of
Works to
lend money
to Commis-
sioners of
Sewers for
the City of
London.

99. For the purposes of their contribution towards the undertaking and of lending money to the Commissioners of Sewers of the City of London as by this Act authorised, the Metropolitan Board of Works may apply any money raised or authorised to be raised by them under any Act of Parliament, and not required for the purposes of that Act, and they may also borrow such money as they from time to time require for the purposes aforesaid, and all the provisions of "The Metropolitan Board of Works (Loans) Act, 1869," (except the limitation of amount in section 38 of that Act) shall extend and apply to such borrowing. Metropolitan
Board of
Works em-
powered to
raise moneys
for purposes
of their con-
tribution.

A.D. 1874.
Saving
rights of the
Crown.

100. Nothing contained in this Act shall authorise the Company to take, use, or in any manner interfere with any land, soil, tenements, or hereditaments, or any rights of whatsoever nature, belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of her Crown, without the previous consent in writing of the Commissioners for the time being of Her Majesty's Woods, Forests, and Land Revenues, or one of them, on behalf of Her Majesty, first had and obtained for that purpose (which consent such commissioners are hereby respectively authorised to give), and, as incidental to any such consent as aforesaid, the Company may enter into any agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, who respectively may, with the approval of the Commissioners of Her Majesty's Treasury, join in every such agreement, and the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the like approval, and the Company may respectively execute all necessary conveyances, leases, licenses, or other deeds of or relating to any land, hereditaments, or rights belonging to Her Majesty in right of her Crown, and every agreement so entered into as aforesaid shall be performed by the same commissioners and the Company respectively; and nothing in this Act contained shall divest, take away, prejudice, diminish, or alter any estate, right, privilege, power, or authority now or from time to time vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Interest not
to be paid
out of
capital.

101. The Company shall not, out of any money by this Act authorised to be raised, pay interest or dividend 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."

Deposit for
future Bills
not to be
paid out of
Company's
capital.

102. 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.

Company,
&c. not
exempt from
provisions of
present and

103. Nothing in this Act contained shall exempt the Company or the railway from the provisions of any general Act relating to railways, or the better and more impartial audit of the accounts of railway companies, now in force or which may hereafter pass

during this or any future session of Parliament, or from any future A.D. 1874.
revision or alteration, under the authority of Parliament, of the ^{future}
maximum rates of fares and charges, or of the rates for small ^{general} Acts.
parcels, authorised by this Act.

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

[Ch. cxcix.] *The Metropolitan Inner Circle* [37 & 38 VICT.]
Completion Act, 1874.

A.D. 1874.

The FIRST SCHEDULE to which the foregoing Act refers.

Names or Designations.	Particulars of Premises.
B. Hyam and Son - - - -	Lessees of No. 56, Cannon Street, E.C.
Walter Bovill - - - -	Lessee of part of No. 56, Cannon Street, E.C.
A. M. Yetts and Company - -	Lessee of 54, Cannon Street.
West and King - - - -	Lessees of 66, Cannon Street.
George Chater - - - -	} Owners of 68, Cannon Street.
T. P. Rutt - - - -	
Grosvenor, Chater, and Company -	Lessees of 68, Cannon Street.
Edward White, junior - -	91, Cannon Street (Lessee).
M. and S. Hyam - - - -	69/75, Cannon Street (Owners).
Charles Morgan and Company -	58, Cannon Street (Lessees).
Edward Kent - - - -	70, Cannon Street (Lessee).
Mason and Barry - - - -	87, Cannon Street (Freeholders).
Geo. H. Bush - - - -	62, Cannon Street (Lessee).
Alexander Cowan and Sons - -	} Lessees. 50, Cannon Street, 27, Queen Street, and 11, St. Thomas Apostle,
Edward Saunders and Son - -	
} M. W. Buttinshan (on behalf of the trustees of Saint John the Baptist-upon-Walbrook) - - - -	79, 81, 83, Cannon Street (Lessees).
	} Owners of 19, Budge Row.
Austin Withers - - - -	22, Walbrook (Lessee).
John Hancock - - - -	89, Cannon Street (Lessee).

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Completion Act, 1874.

A.D. 1874. — 2. Neither directly nor indirectly, in either House of Parliament, shall the said Trustees offer any further opposition on behalf of the said National Provident Institution to the passing of the said Bill.

3. The obligations herein-after expressed to be imposed shall be binding on the passing of "The Metropolitan Inner Circle Completion, &c. Act, 1874," herein-before referred to, and in that event only.

4. If the said Bill shall pass into an Act of Parliament during the present session of Parliament, the Company incorporated thereunder (herein-after called the Company) shall, out of the first capital raised for the purposes of the Act, pay all the costs and expenses of the Trustees of the Institution of and incident to the opposition to the said Bill, the said petition, and the present withdrawal thereof, and all matters connected therewith up to and including the execution of these presents and the confirmation thereof by the said Bill.

5. The Company shall not acquire, under the powers of the said Act, any part of the property of the Institution without taking the whole thereof, or exercise any of their powers for the purpose of taking less than the whole.

6. The Company shall not acquire the property of the Institution, or exercise any of their powers for that purpose, unless within one year from the date of the royal assent being given to the said Act the Company shall give a notice of their desire to purchase the same, and the Company shall only give such notice if the said property shall be bonâ fide required for the purposes of the said Act.

7. In case the Company shall give such notice within the time aforesaid, the Trustees of the Institution shall sell and the Company shall purchase the property of the Institution at the price and on the terms herein-after appearing.

8. The price or consideration to be paid by the Company shall be the sums following ; that is to say,

(a.) The cost (estimated and paid as herein-after mentioned) of the acquisition of a freehold site, and the erection and provision of buildings thereon, to be occupied as the offices of the National Provident Institution, and in all respects at least equal to that portion of the property of the Institution, containing about three thousand two hundred and thirty-five superficial square feet, in which their present offices are, in lieu of such part of the property of the Institution as is now used or occupied for the purposes aforesaid or in connexion therewith :

(b.) The amount agreed or determined by arbitration (under the provisions for arbitration herein-after contained) to be the proper compensation for loss of business, tenants, and profit, rental and other loss, and for inconvenience of removal of the offices to such substituted site, and the expense attendant thereon, including all reasonably necessary new furniture and fittings :

(c.) The amount agreed upon or determined (under the provisions for arbitration herein-after contained) to be the purchase money or compensation payable by the Company for all such part of the property of the Institution as is not used or occupied as the offices of the National Provident Institution, or in connexion therewith, and is not the subject of the substituted site hereby agreed upon :

(d.) All fair and reasonable costs and expenses of the Trustees, their solicitor, architect, and surveyor, of and incident to the selection and acquisition of the said site, and the superintendence of the erection, furnishing, and provision of the said buildings and offices, and the removal thereto, and of and incident to the ascertaining of matters by arbitration or otherwise; and also all costs which would be payable by the Company with respect to the title to and conveyance of the said property if it had been acquired solely under the Company's statutory powers:

9. The freehold site aforesaid shall be selected by the Trustees of the Institution, and the design and detail of the buildings to be erected thereon shall be determined by their architect, but the Company shall do all reasonable matters in their power to assist in finding a site and in facilitating the arrangements for the same: Provided that the Company shall not be called upon to pay the cost occasioned by such site and buildings being larger or more commodious than that portion of the property of the Institution in which their present offices are, or by such building being more ornamental, whether externally or internally; but if the Trustees of the Institution shall find it necessary to adopt a site less commodious or advantageous (having regard to the disadvantage to the National Provident Institution of a change of locality), the Company shall pay a money compensation, to be agreed upon or determined by arbitration under the provisions herein contained, in respect of the difference in value and convenience of such site and buildings, and of the loss and disadvantage involved in the substitution thereof: Provided also, that to avoid as far as possible such necessity for loss and compensation, the Trustees of the Institution shall not fix on such less commodious or advantageous site, unless the Company shall have failed to find a better site, to be approved by the Trustees, within one year after such notice; and in case any question or dispute shall arise as to the suitability of any such substituted site, the same shall be decided under the provisions for arbitration herein contained.

10. The Company shall pay for the said substituted site and buildings (as and when the moneys shall be required for the same, according to the terms of the purchase, acquisition, and provision thereof reasonably made by the Trustees of the Institution, or by the Company with their assent), and shall pay all reasonable compensation in respect of the nature thereof, and for loss of business, tenants, and profit, rental and other loss, and inconvenience of removal, and the expense (including necessary new or extra furniture) attendant thereon, and all fair and reasonable costs and expenses of the Company incident thereto, before the offices of the National Provident Institution shall be required to be removed.

11. The offices of the National Provident Institution shall be removed to the new site and buildings when (and not before) the same site shall have been acquired and the same buildings shall have been completed, furnished, and paid for (together with all incidental matters as aforesaid) by the Company.

12. The remainder of the price or consideration aforesaid (except such costs as cannot be determined until completion) shall be assessed and determined with such expedition that the amount thereof shall be ascertained by the time when the said new site and buildings shall be ready.

13. If the Company are then ready to complete the purchase, the same shall be completed accordingly (the Company taking the onus of all tenancies), and all the balance of the purchase money (including all costs and expenses) duly paid.

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14. If the Company are not then ready to complete the purchase, the balance of the said purchase money (excepting such costs as cannot be determined until completion) shall be deposited in the Bank of England, in the joint names of the chairman of the Company and one of the Trustees of the Institution, and the Company shall pay interest at the rate of five pounds per centum per annum on the said balance of purchase money from the date when such deposit is hereby provided to be made until completion of the purchase.

15. The Company shall not take possession of any part of the property of the Institution, or exercise any of the powers contained in "The Lands Clauses Consolidation Act, 1845," with respect to the entry on land by the promoters of the Act, until the said new site shall have been acquired, and the said buildings shall have been completed and furnished, and all payments provided for by Clause 10 of these presents duly paid, and the moneys provided for by Clause 12 of these presents duly paid under Clause 13 or deposited under Clause 14.

16. The Company shall, so far as necessary, exercise their statutory powers for effecting the purchase and assurance hereby agreed upon and carrying out the provisions of these presents, and shall be bound to complete the said purchase and other matters with expedition, having regard to the special stipulations of these presents.

17. The price or consideration mentioned in the 8th clause hereof, and all other the considerations, stipulations, and agreements on the said Company's part herein contained, are to be taken as including compensation for severance (if any), and also for all loss, damage, or injury sustained by the said National Provident Institution, their successors or assigns, of any nature or kind soever, arising from the taking of the said premises (if so taken as aforesaid) for the purposes of the said railways, streets, and works.

18. The Trustees of the Institution shall, within thirty days after being thereto requested by the solicitors of the Company, deliver to them an abstract of title to the property of the Institution, but to such extent only as they shall require, and shall produce the deeds and muniments of title and other evidences in proof of the same, and the Trustees of the Institution, and all other necessary parties, shall on full payment of the said price or consideration, and all costs and expenses as aforesaid, execute proper conveyances to the Company, or as they may direct, of the said property referred to in the first recital herein contained, with covenants for title and for production of deeds or other evidences not handed over to them, according to the usual practice on the purchase of lands by private individuals.

19. Whenever any doubt, difference, or dispute shall arise between the parties hereto, or between persons claiming through any of them, touching these presents or the construction hereof, or any clause or thing herein contained (whether hereby specifically referred to arbitration or otherwise), the matter in difference shall be referred to some person appointed in that behalf by the Recorder of the city of London, at the instance of all or any of the parties in difference, so that the reference and award shall have all the incidents and consequences of a reference to and award by a sole arbitrator appointed under the provisions of "The Common Law Procedure Act, 1854," the costs of the reference and award being borne by the Company: Provided that nothing in this clause or in the statutory provisions relating to arbitration shall extend to prevent or estop the remedy by injunction which the Trustees of the Institution would otherwise have

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to restrain the Company from taking the property of the Institution or any part thereof contrary to the terms of these presents. A.D. 1874.

20. Within three months after the passing of the said Bill into an Act, the Company to be thereby incorporated shall enter into an agreement with the parties hereto of the first part in similar terms or to the same effect as this agreement, which agreement shall be sealed with the common seal of such Company.

As witness the hands of the said parties the day and year first above written.

Witness to the signature of Charles Gilpin,
THOS. B. PEACOCK.

C. GILPIN.

Witness to the signatures of Charles Whetham,
Jonathan Thorp, and Charles Reed,
T. M. MORRISS,
Solicitor,
70, Basinghall Street,
London.

C. WHETHAM.
JON^N. THORP.
CHARLES REED.

Witness to the signatures of the said James
Goodson and Edward Frederick Devenish
Walshe,
EDW. NEVINSON.

JAMES GOODSON.
E. F. D. WALSHE.