



CHAPTER ccviii.

An Act for granting further powers to the Metropolitan Outer Circle Railway Company; and for other purposes. A.D. 1883.
[20th August 1883.]

WHEREAS the Metropolitan Outer Circle Railway Company were incorporated by the Metropolitan Outer Circle Railway Act, 1882, with power to make and maintain certain Railways in the counties of Middlesex and Essex, and for that purpose to raise two million pounds by shares and six hundred and sixty-six thousand six hundred pounds by borrowing:

And whereas it is expedient that the Company should be authorized to construct the deviation and junction lines of Railway herein-after described and to abandon the portion of their authorized Railway, which will be rendered unnecessary by the construction of such deviation line:

And whereas it is expedient that the Company should be authorized to raise additional capital for the purposes of this Act:

And whereas the Company has not raised any money by mortgage or debenture stock:

And whereas it is expedient that such arrangements should be authorized and such powers conferred with reference to other undertakings and companies as are herein-after provided:

And whereas plans and sections of the deviation and junction Railways, showing the lines and levels thereof and also books of reference to the plans, containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required, or which may be taken for the purposes or under the powers of this Act, were duly deposited with the clerk of the peace for the county of Essex, and are herein-after respectively 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
[Local.-208.] A 1

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883. — 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 Outer Circle Railway Act, 1883.

Incorporation of general Acts.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869; the Railways Clauses Consolidation Act, 1845, Part I. (relating to Construction of a Railway), and Part III. (relating to Working Agreements) of the Railways Clauses Act, 1863; the clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the following matters (that is to say):—

The distribution of the capital of the Company into shares:

The transfer or transmission of shares:

The payment of subscriptions, and the means of enforcing the payment of calls:

The forfeiture of shares for non-payment of calls:

The remedies of creditors of the Company against the shareholders:

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

The conversion of the borrowed money into capital:

The consolidation of the shares into stock:

The general meetings of the Company and the exercise of the right of voting by the shareholders:

The making of dividends:

The giving of notices: and

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

Part I. (relating to Cancellation and Surrender of Shares), Part II. (relating to Additional Capital), and Part III. (relating to Debenture Stock) of the Companies Clauses Act, 1863, as amended by the Companies Clauses Act, 1869, are (in so far as applicable, and except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction. The expression "the Company" means the Metropolitan Outer Circle Railway Company; the expression "the Regent's Canal Railway Company" means the Regent's Canal City and Docks Railway Company; the expression "the Railway" means the Railways by this Act authorized; the expression "the Deviation Railway" means the Deviation Railway No. 1 by this Act authorized; the expression

“the Junction Railway” means the Junction Railway No. 2 by this Act authorized; the expression “the Act of 1882” means the Metropolitan Outer Circle Railway Act, 1882; the expression “the Regent’s Canal Railway Act” means the Regent’s Canal City and Docks Railway Act, 1882; and for the purposes of this Act, the expression “superior courts” or “court of competent jurisdiction,” or any other like expression in this Act or any Act wholly or partially incorporated herewith, shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

A.D. 1883.

4. 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 herein-after described, with all proper stations, sidings, approaches, works, and conveniencies connected therewith, and may enter upon, take, and use such of the lands delineated on the said plans, and described in the deposited books of reference, as may be required for that purpose. The Railways herein-before referred to and authorized by this Act are:—

Power to
make Rail-
ways and
works.

(1.) A Deviation Railway, one mile two furlongs and 0.50 chain in length, wholly situate in the county of Essex, commencing in the parish of East Ham by a junction with the Railway No. 24, authorized by the Act of 1882, at a point marked one mile two furlongs on the plans of that Railway, deposited with reference to that Act with the clerk of the peace for the county of Essex, such point denoting one mile two furlongs from the commencement of that Railway, and terminating in the parish of West Ham and township of Plaistow, at the Customs’ fence of the Royal Victoria and Royal Albert Docks of the London and Saint Katharine Docks Company, at a point on that fence two hundred feet or thereabouts westward of the north-west angle of the engine house belonging to that Company.

(2.) A Junction Railway, one furlong and 6.85 chains in length, wholly situate in the parish of West Ham and township of Plaistow, commencing by a junction with the Deviation Railway at or near the intersection of the Beckton Road with Regents’ Lane, and terminating by a junction with the Railway No. 3, described in and authorized by the Regent’s Canal Railway Act, at a point thereon marked seven miles four furlongs on the plans of that Railway, deposited with the clerk of the peace for the county of Essex, with reference to that Act, such distance denoting seven miles four furlongs from the commencement of the said Railway No. 3.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 Vict.]
Act, 1883.

A.D. 1883.

For the protection of the Regent's Canal Railway Company.

5. For the protection of the Regent's Canal Railway Company and of the railways authorized by the Regent's Canal Railway Act, the following provisions shall, unless otherwise agreed in writing under seal between the Company and the Regent's Canal Railway Company, have effect, that is to say:—

(1.) In this section the expression "the scheduled lands" shall mean any lands included within the limits of deviation shown upon the deposited plans of the Regent's Canal Railway Company:

(2.) Subject as herein-after provided the Company shall not enter upon, take, use, or interfere with any portion of the scheduled lands belonging to the Regent's Canal Railway Company, or for which that Company may at the time being have given notice to treat, or with any railway siding or other work from time to time constructed by the Regent's Canal Railway Company thereon, but the Company shall purchase, and the Regent's Canal Railway Company shall grant to the Company, an easement, or right of constructing the Deviation Railway across such portion of the scheduled lands and under the Railway No. 3, authorized by the Regent's Canal Railway Act, or the site thereof as herein-after provided, and of constructing the Junction Railway across such lands up to the junction thereof with the said Railway No. 3: Provided always that the provisions herein-before contained shall not be exercised so as to prevent the Company from constructing the Railway; but any of the scheduled lands (not belonging to the Regent's Canal Railway Company or for which they have not given notice as aforesaid) which may be acquired by the Company shall be transferred to the Regent's Canal Railway Company in the event of that Company desiring to purchase the same (within the period limited by the Regent's Canal Railway Act, for the compulsory purchase of lands for the purposes of that Act, or any extension of that period authorized by Parliament), and an easement over such lands shall thereupon be granted by the Regent's Canal Railway Company to the Company.

(3.) The Company shall construct the Deviation Railway and the Junction Railway respectively, in the line and level shown on the plan and section signed by the Right Honourable John Thomas, Earl of Redesdale, the Chairman of Committees of the House of Lords, and deposited in the office of the Clerk of the Parliaments, and shall not, without the previous consent in writing of the Regent's Canal Railway Company, deviate from the line and level so shown, and the said Railways and all works connected therewith, where the same cross the scheduled lands, shall be constructed to the reasonable satisfaction and under

the superintendence of the engineers for the time being of the Regent's Canal Railway Company: A.D. 1883.

- (4.) The junction of the Junction Railway with the said Railway No. 3 shall be effected in such manner, of such materials, and according to such mode of construction as shall be directed by the engineers for the time being of the Regent's Canal Railway Company:
- (5.) The Junction Railway shall be constructed in viaduct, the arches of which shall be of such dimensions and construction as the engineers for the Regent's Canal Railway Company shall direct, and so as not to interfere with the access by the Regent's Canal Railway Company to the arches of the viaduct upon which the said Railway No. 3 will be constructed:
- (6.) If the Deviation Railway is constructed either before or concurrently with the said Railway No. 3:
 - (A.) The Company shall construct a bridge for the purpose of conveying the said Railway No. 3 over the Deviation Railway, in the line and situation shown on the plans deposited in respect of the said Railway No. 3, or in such other line and situation as may be directed by the engineers for the time being of the Regent's Canal Railway Company:
 - (B.) Such bridge shall be constructed of such materials and design as the said engineers shall prescribe, and shall be of sufficient width and strength to allow of the laying down thereover of four lines of way:
- (7.) If the Deviation Railway shall be constructed after the said Railway No. 3 shall have been completed, at the point where the Deviation Railway will cross under the said Railway No. 3, the Deviation Railway shall be carried under the said Railway No. 3 by means of a bridge of such materials and description as may be prescribed by the engineers for the time being of the Regent's Canal Railway Company, and such bridge shall be of sufficient width and strength as to allow of the laying down thereover of four lines of way:
- (8.) The Company shall, if required by the Regent's Canal Railway Company, construct and thereafter maintain at their own expense in all respects such bridges over the Deviation Railway with approaches thereto on either side as the Regent's Canal Railway Company may reasonably require for the purpose of obtaining access to the arches of the viaduct upon which the said Railway No. 3 will be constructed; such bridges and the approaches thereto shall be of not less width between the fences than twenty feet, and the Company shall properly form and

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 Vict.]
Act, 1883.

A.D. 1883.

complete a good and sufficient roadway over the said bridges and approaches :

- (9.) All works by this Act authorized over, under or affecting the scheduled lands or any authorized works of the Regent's Canal Railway Company, or within fifty yards thereof, shall be constructed at the expense in all things of the Company, and in accordance with plans, sections, and specifications to be previously submitted to and reasonably approved in writing by the engineers of the Regent's Canal Railway Company, and the Company shall not commence the construction of any such works, or enter upon or interfere with such lands or works of the Regent's Canal Railway Company until such plans, sections, and specifications have been so submitted and approved :
- (10.) If at any time after the passing of this Act and before the Company have commenced to construct the Deviation Railway and the Junction Railway the Regent's Canal Railway Company give notice in writing to the Company of such their desire, they may themselves construct the Deviation Railway and Junction Railway respectively over or across the scheduled lands ; and in the event of the Regent's Canal Railway Company electing so to do, they shall bonâ fide prosecute the construction of the said respective portions of Railway, and complete the same, if required so to do by the Company, within the time limited for the completion thereof by the Act of 1882. And such respective portions of Railway, notwithstanding the construction thereof by the Regent's Canal Railway Company, shall be and shall be deemed for all purposes a part of the undertaking, Railway, property, and works of the Company :
- (11.) All costs and expenses of such construction (including a sum for the easement of passing over, under, or across the scheduled lands), and of the Regent's Canal Railway Company in reference thereto, shall be borne and paid by the Company on allotment of any capital other than in respect of the qualification of directors, and may be recovered by the Regent's Canal Railway Company in any court of competent jurisdiction :
- (12.) The Company shall at all times maintain--(A.) the Junction Railway where the same is carried over or across the scheduled lands, and the junction thereof with Railway No. 3, and all works connected therewith ; and (B.) the Deviation Railway where the same is carried over or across the scheduled lands and under the said Railway No. 3, in substantial repair and good order to the reasonable satisfaction in all respects of the Regent's Canal Railway Company ; and if and whenever the Company fail so to do, the Regent's Canal Railway Company

may make and do in and upon as well the lands of the Company as their own lands all such works, repairs, and things as they may reasonably think requisite in that behalf, and the sum from time to time certified by the engineers of the Regent's Canal Railway Company to be the reasonable amount of such expenditure shall be repaid to the Regent's Canal Railway Company by the Company, and in default may be recovered by them from the Company, with full costs in any court of competent jurisdiction :

(13.) Notwithstanding anything in this Act contained, the Company shall be responsible for and make good to the Regent's Canal Railway Company all costs, losses, damages, and expenses which may be occasioned to that Company or to any of their railways, works, or property or to the traffic thereon or otherwise, by reason of the execution or failure of the Company's Railways and the works in connexion therewith, or of any act or omission of the Company or of any of the persons in their employ, or of their contractors or others, and the Company shall effectually indemnify and hold harmless the Regent's Canal Railway Company from all claims and demands upon or against them by reason of such execution or failure and of such act or omission :

(14.) In constructing and maintaining the Railway, the Company shall not in any way obstruct or interfere with the traffic passing along the said Railway No. 3, and if by reason of any works or proceedings of the Company there shall be any obstruction or interference with the said Railway No. 3, so as to impede or prevent the convenient passage of engines and carriages along the same, the Company shall pay to the Regent's Canal Railway Company the sum of one hundred pounds per hour during which any such obstruction or interference shall continue :

(15.) The Company shall bear and on demand pay to the Regent's Canal Railway Company the reasonable expense of the employment, after the completion and opening of the said Railway No. 3 by them, and during the making of the Railway over the scheduled lands and adjacent to the said Railway No. 3, of a sufficient number of inspectors, signalmen, or watchmen, to be appointed by the Regent's Canal Railway Company for watching the said Railway No. 3 and works, and the conduct of the traffic thereon with reference to and during the execution of the intended works, and for preventing, as far as may be, all interference, obstruction, danger, and accident from any of the operations, or from the acts or defaults of any person or

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

persons in the employ of the Company with reference thereto or otherwise :

- (16.) All costs and charges incurred by the Regent's Canal Railway Company or their engineer in respect of or incident to the preparation or examination and approval of plans, drawings, and specifications, and to the inspection or superintendence of any of the works of the Company, or otherwise in relation to the construction of the Deviation Railway and Junction Railway, shall be borne and paid by the Company, and may be recoverable by the Regent's Canal Railway Company in any court of competent jurisdiction :
- (17.) The said junction of the Junction Railway with Railway No. 3, and the working thereof, shall be in the absolute control of the Regent's Canal Railway Company, who shall have the unfettered control of all traffic passing over the said junction on to and over the railways of the Regent's Canal Railway Company :
- (18.) The Regent's Canal Railway Company at such junction may from time to time provide, erect, and maintain and alter such signals and other works and conveniences (either on their own land or that of the Company), and appoint such signalmen, watchmen, and pointsmen and other servants as the Regent's Canal Railway Company may deem necessary for their protection against damage, or detention of or interference with the traffic of their railways at or near the said junction, and the working and management of such signals, works, and conveniences, and the control and direction of such signalmen, watchmen, pointsmen, and other servants shall belong exclusively to the Regent's Canal Railway Company, and all the costs and expenses during each half-year of providing, erecting, maintaining, and altering such signals, works, and conveniences, and the employing and paying such signalmen, watchmen, pointsmen, and other servants, shall, at the expiration of each half-year, be repaid to the Regent's Canal Railway Company on demand, and in default the amount of such costs and expenses may be recovered by that Company from the Company in any court of competent jurisdiction :
- (19.) The Junction Railway shall be used for the purpose of passenger traffic only of the Company, and the Company may from time to time, with the permission in writing under the seal of the Regent's Canal Railway Company, run over and use with their engines and carriages, and with their clerks, officers, and servants (but for the purposes only of such passenger traffic as aforesaid of the Company), the portion of the said Railway

No. 3 which lies between the junction thereof with the Junction Railway and the termination thereof and the Railway No. 4 authorised by the Regent's Canal Railway Act for the purpose of obtaining access for such traffic to the passenger lines of the London and Saint Katharine Docks Company; but nothing in this section shall authorize the Company to use any of the stations, watering places, booking offices, warehouses, landing places, sidings, works, or conveniences of the Regent's Canal Railway Company :

A.D. 1883.

(20.) The Company shall pay to the Regent's Canal Railway Company in respect of the said user of the portion of Railway No. 3 and of the Railway No. 4 as aforesaid a minimum toll of such amount as may be agreed upon between the Company and the Regent's Canal Railway Company, and in using and traversing the said portion of Railway No. 3 and Railway No. 4 respectively the regulations and byelaws for the time being in force on the same shall be at all times observed by the Company so far as such byelaws shall be applicable :

(21.) In the event of the Company running over and using the Railways of the Regent's Canal Railway Company as aforesaid precedence shall in all cases be given to the traffic of the Regent's Canal Railway Company over the traffic of the Company :

(22.) Except as herein expressly provided nothing in this Act contained shall extend to prejudice, alter, or take away any of the rights, privileges, or powers of the Regent's Canal Railway Company :

(23.) All costs, charges, and expenses of the Regent's Canal Railway Company with respect or incidental to this Act and the agreement proposed to be scheduled to the Bill for this Act and the negotiations therefor and the completion thereof or otherwise in relation thereto and to this Act shall be borne and paid by the Company upon allotment of any capital of the Company, other than in respect of the qualification of directors.

6. The provisions contained in section thirty of the Act of 1882, for the protection of the works under the jurisdiction or control of the Commissioners of Sewers for the levels of Havering, Dagenham, Ripple, Barking, East Ham, West Ham, Leyton, and Walthamstow, in the respective counties of Essex, Middlesex, and Kent, shall, so far as applicable, extend and apply to the Railways and works by this Act authorized, as if such Railways and works formed part of the Railways and works authorised by the Act of 1882.

For protection of works of Havering, Dagenham, &c., Commissioners of Sewers.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

For the protection of the Gas Light and Coke Company.

7. Whereas under the powers of the Gas Light and Coke Company's Act, 1868, section forty-five, sub-section four, the Gas Light and Coke Company (herein-after called "the Gas Company") have out of their own funds constructed the private road thereby authorized, and such road has not been dedicated to the public, but is the property of the Gas Company, and under their control, and such road is called or known as the Beckton Road: Therefore, notwithstanding anything in this Act to the contrary, the following provisions for the protection of the Gas Company shall have effect, that is to say:—

- (1.) The Railway shall be carried over the said Beckton Road in the parish of West Ham, by means of an iron girder bridge with a span of not less than the entire width of the said road and of the footpaths on either side thereof, and of a height above the present level of such roadway of not less than sixteen feet.
- (2.) The Company shall at all times, at their own expense, keep the said bridge in proper repair and condition, and the bridge shall be so constructed as to prevent the dripping of water upon the said road and footpaths, and to deaden, as far as practicable, the sound of engines and carriages and traffic passing over it.
- (3.) If the Company or their contractors, agents, or servants shall use or otherwise interfere with the said road and footpaths during the construction of the Railway and works, the Company shall keep the said road and footpaths in repair during such user, and on the completion of the Railway and works the Company shall leave the said road and footpaths in as good a state as they shall be in at the time of the commencement of the user thereof by the Company or their contractors, agents, or servants, and no obstruction beyond what is reasonably necessary during the construction of the Railway shall at any time be placed upon the said road or footpaths so as to interfere with the passage of traffic along the same.
- (4.) If by reason of the construction or maintenance of the Railway and works, or the failure of such, the said road or footpaths shall be injured, or the traffic thereon impeded beyond what is reasonably necessary during the construction of the Railway, the Company shall compensate the Gas Company for all costs to which the Gas Company may be put in repairing the said damages, and shall also pay by way of liquidated damages to the Gas Company ten pounds for every hour during which such traffic shall be unnecessarily impeded.

(5.) Sections forty-three, forty-four, and forty-six of the Act of 1882 for the protection of the Gas Company are incorporated with and form part of this Act as fully and effectually as if those sections had been expressly repeated and re-enacted in this Act. A.D. 1883.

(6.) Notwithstanding anything in this Act contained, the Company shall not interfere with any mains, pipes, or other works of the Gas Company without the previous consent in writing of the Gas Company.

8. For the protection of the West Ham Local Board (in this section called "the Local Board") the following provisions shall apply and have effect:— For the protection of the West Ham Local Board.

(1.) In constructing the Deviation Railway in the district of West Ham the Company shall at their own expense provide in the space between the eastern boundary of the parish of West Ham and the Beckton Road in the said district if thereto required by the Local Board and shall thereafter maintain not more than four arches for roads in the viaduct embankment or other work carrying the Deviation Railway to the satisfaction in all respects of the surveyor to the Local Board for the time being. The said Railway shall be carried over Prince Regent's Lane otherwise Regent's Lane by an iron girder bridge with a span of not less than the entire width of the said road and of the footpaths on either side and of a height above the level of such roadway of not less than sixteen feet and shall be so constructed as to prevent the dripping of water upon the said road and footpaths and so as to deaden as far as practicable the sound of traffic passing over it and the said Railway shall be carried over the road numbered 47 on the deposited plans by an arch with a span of not less than the entire width of the said road and of the footpaths on either side with a headway in the centre for a width of twelve feet of not less than sixteen feet and at the sides of not less than twelve feet such arch to be constructed to the satisfaction in all respects of the Surveyor to the Local Board for the time being.

(2.) If at any time hereafter in pursuance of any statutory power agreement or otherwise the levels of the Deviation Railway or of the Junction Railway shall be raised to be at or about the same height as the authorized levels of the Regent's Canal City and Docks Railway then the Company shall at their own expense provide in the space between the said Beckton Road and the said road numbered 47 if thereto required by the Local Board and shall thereafter maintain not more than three

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

- arches for roads in the viaducts embankments or other works carrying the Railway to the satisfaction in all respects of the surveyor to the Local Board for the time being.
- (3.) No part of the Railway nor any viaduct embankment or abutment carrying the same shall be placed within twenty feet of the centre of the roadway of Prince Regent's Lane otherwise Regent's Lane.
- (4.) Whenever any Railway viaduct and embankment or other work by this Act authorized shall cross any sewer vested in or subject to the supervision or control of the Local Board every such Railway viaduct embankment or work over such sewer and to such extent on either side thereof as the surveyor to the Local Board for the time being shall in his discretion deem necessary shall be constructed and maintained by the Company at their cost in a manner and of materials reasonably satisfactory to such surveyor.
- (5.) The Company shall be liable to pay and shall pay to the Local Board any damages penalties costs charges or expenses which the Local Board may become liable to pay or shall have paid in respect of any injury loss or damage consequent upon or arising from the execution by the Company of any works under the authority of this Act (whether such injury or loss occurs either during or after the construction or in effecting the maintenance alteration or repairing of such works) or in or by the enjoyment or user thereof and all moneys paid by the Local Board on account of any such damages penalties costs charges or expenses shall be repaid to the Local Board by the Company on demand and in default thereof may be recovered by the Local Board from the Company as any single contract debt of like amount.

For protec-
tion of the
East Ham
Local Board.

9. For the protection of the East Ham Local Board, the following provisions shall apply and have effect:—

- (1.) Notwithstanding anything contained in section twenty-seven, sub-section two, of the Act of 1882, the inclination of the bridge therein mentioned shall be not steeper than 1 in 30.
- (2.) The Company shall carry the Deviation Railway over the road known as Tun Marsh Lane, numbered 9 on the deposited plans, in the parish of East Ham, by a bridge having a clear span of forty feet, and being at least sixteen feet high.
- (3.) All bridges and the roads over the same in the parish of East Ham shall be maintained and repaired by the Company in all things to the reasonable satisfaction of the surveyor to the Local Board.

(4.) In all other respects the provisions contained in section twenty-seven of the Act of 1882, for the protection of the East Ham Local Board, shall, so far as applicable and not varied by the provisions of this Act, remain in full force and effect. A.D. 1883.

10. In the construction of the Deviation Railway and the works connected therewith, the following provisions for the protection of the Master and Keepers, or Wardens and Commonalty of the Mystery or Art of Ironmongers, London, in this section called the Ironmongers' Company, shall be observed and have effect:— For protection of the Ironmongers' Company.

- (1.) The Company, shall purchase the whole of the lands of the Ironmongers' Company lying north of the Northern Outfall Sewer, and on the east side of the Railway when made, and the whole of the lands of the Ironmongers' Company on the south side of the said sewer, all of which lands are coloured green upon a plan signed in duplicate by Sir Arthur John Otway, Baronet, the Chairman of Ways and Means of the House of Commons, and one copy of such plan has been deposited at the office of the Ironmongers' Company, and the other copy has been deposited in the office of the Company.
- (2.) The Company shall, if so required by the Ironmongers' Company, purchase the whole of the lands of the Ironmongers' Company coloured red on the said plan.
- (3.) The Company shall pay such sum for the said lands and for the consequential damage (if any) to the residue of the Ironmongers' Company's Estate, as shall failing agreement be settled by arbitration, in the manner prescribed by the Lands Clauses Consolidation Act, 1845, with respect to the purchase and taking of lands otherwise than by agreement.
- (4.) The Company shall upon the making of the Deviation Railway alter the gradient of the roadway over White Horse Lane, and delineated on the deposited plans to an inclination of not less than 1 in 30.
- (5.) The Company shall, on the making of the Deviation Railway carry the same (by means of a bridge to be by them erected and for ever after maintained in good and substantial repair and condition) over the private road dividing the parishes of East Ham and West Ham, and forming the southern boundary of the Ironmongers' Company's Estate coloured green on the said plan.
- (6.) The Company shall effectually turf, and, if so required by an arbitrator in case of difference, plant the slopes of the Deviation Railway on the western side, and for ever after keep the same well turfed or planted as the case may be.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 Vict.]
Act, 1883.

A.D. 1883.

(7.) The Company shall provide such approaches and conveniences in connexion with the Ironmongers' Company's lands as shall in the event of difference be determined by an arbitrator, to be appointed by the Board of Trade on the application of either party, and regard shall be had to the fact that the said lands of the Ironmongers' Company are suitable for building purposes, it being understood and agreed that the Company are not to acquire lands for the purpose of providing such approaches and conveniences.

For protection of the North Woolwich Land Company.

11. For the protection of the North Woolwich Land Company, herein-after called "the Land Company," the following provisions shall have effect:—

The Deviation Railway shall be carried over the road known as the Lilliput Road, numbered on the deposited plans 70, in the township of Plaistow and parish of West Ham, by means of an iron girder bridge with a clear span throughout of not less than thirty-eight feet, and of a height above such road of not less than sixteen feet, and the Company shall place and for ever after maintain below the iron girders of such bridge corrugated iron or zinc fitted so as to prevent the dripping of water upon the said road and footpaths thereof, and if the Company or their contractors, agents, or servants shall use or otherwise interfere with the said road during the construction of the authorized works, the Company shall keep the said road and footpaths in repair during such user, and on the completion of such works the Company shall leave the said road and footpaths in at least as good a state as they shall be in at the time of the commencement of the user thereof by the Company or their contractors, agents, or servants, and no obstruction shall at any time be placed upon the said road so as to interfere with the passage of traffic along the same.

For protection of the London and Saint Katharine Docks Company.

12. Notwithstanding anything in this Act no part of the Railway or any other works by this Act authorised shall be constructed to the southward of the northern boundary of the lands of the London and Saint Katharine Docks Company without the consent in writing of that Company under their common seal nor shall any lands or property belonging to that Company be entered upon taken or used by the Company whether temporarily or permanently under the powers of this Act without the like consent of the said Company.

For the protection of the Northern Outfall Sewer of the

13. Whereas the Deviation Railway is designed to cross the Northern Main Outfall Sewer of the Metropolitan Board of Works (herein-after referred to as "the Metropolitan Board") and it is

expedient that provisions should be made for the protection thereof: A.D. 1883.
Therefore

(1.) Notwithstanding anything in this Act contained it shall not be lawful for the Company to enter upon take or use any of the lands of the Metropolitan Board upon which the said Northern Outfall Sewer or any works connected therewith are situate or which are adjacent thereto or to interfere with the said sewer or works except as herein-after specified but the Company may purchase and take from the Metropolitan Board an easement or right of using so much of the lands adjacent to the said sewer and the embankment in which the said sewer is constructed as shall be necessary for the purpose of constructing and maintaining therein the piers of the bridge herein-after mentioned and of maintaining and using over the same two lines of Railway And the purchase-money to be paid by the Company to the Metropolitan Board in respect of the acquisition by the Company of such easement or right as aforesaid shall be a sum to be agreed or in default of agreement shall be settled by arbitration and shall be paid by the Company to the Metropolitan Board :

Metropolitan
Board of
Works.

(2.) Notwithstanding anything in this Act or on the deposited plans and sections the Company shall not construct the Deviation Railway where it will cross the said sewer otherwise than by means of a bridge which shall be made and maintained in all respects (unless the Metropolitan Board in writing under their common seal otherwise agree) in accordance with a plan and section signed in duplicate by Sir Arthur John Otway Baronet the Chairman of Ways and Means of the House of Commons one copy whereof has been deposited in the Private Bill Office of the House of Commons and another copy at the office of the Metropolitan Board :

How Rail-
way to be
carried over
Main Outfall
Sewer.

(3.) The Company shall not commence the construction or alteration of any works affecting or passing over the said Northern Outfall Sewer until they shall have given to the Metropolitan Board two months' notice in writing of their intention to commence or alter the same by leaving such notice at the office of the Metropolitan Board with plans sections and other necessary particulars of the construction of the said works or of any alteration therein nor until the Metropolitan Board shall have signified their approval of the same unless the Metropolitan Board fail to signify such approval or their disapproval or other reasonable directions within two months after service of the said notice and delivery of the said plans sections and other particulars as aforesaid in which event the Company may

Notice to be
given to
Metropolitan
Board before
commence-
ment of
works affect-
ing Outfall
Sewer.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

Regulations
of the Metro-
politan
Board to be
observed.

proceed forthwith with the said part of the said works or the alterations therein according to the said plans sections and other particulars :

(4.) The Company shall comply with and conform to all reasonable directions and regulations of the Metropolitan Board in the construction and subsequent maintenance of the part of the Deviation Railway herein-before specified and the works connected therewith and any alteration therein and the Company shall save harmless the Metropolitan Board against all and every expense to be occasioned thereby and the said part of the said Railway and works shall subject to the provisions of this Act be constructed done and maintained to the reasonable satisfaction of the engineer for the time being of the Metropolitan Board at the costs charges and expenses in all respects of the Company and all costs charges and expenses which the Metropolitan Board may incur by reason of the said part of the said Railway and works of the Company whether in the construction maintenance or alteration of the same the examination of plans or sections superintendence or otherwise shall be paid to the Metropolitan Board by the Company on demand and may in case of non-payment be recovered by the said Board in like manner as any simple contract debt of like amount may be recovered.

Power to
stop Railway
in certain
events.

(5.) Whenever and so often as the Metropolitan Board may require to widen strengthen reconstruct alter repair or inspect the said Northern Outfall Sewer or the embankment or works connected therewith or any masonry brickwork or other structure appertaining or belonging to the said sewer and they find it necessary for effecting any of such purposes to interfere with the said part of the said Railway or the works connected therewith or the working or user thereof or to cause the working or user of the said Railway to be wholly or partly stopped or delayed or to cause the said part of the said Railway to be temporarily diverted they may (except in case of emergency in which case no notice shall be necessary) give to the Company three weeks notice in writing stating the nature of the works rendering such interference necessary or as the case may be requiring such stoppage delay or diversion as the case may be and thereupon the Metropolitan Board may execute such works and interfere with the said part of the said Railway and the works connected therewith or as the case may be cause the working and user of the said part of the said Railway to be stopped or delayed or the said part of the said Railway to be temporarily diverted accordingly at the expense of the Com-

pany but only for so long as may be absolutely necessary for effecting such purposes and without their being liable for any compensation claims demands damages costs or expenses for or in respect of such stoppage delay or diversion or in any way relating thereto :

A.D. 1883.

- (6.) In the event of any injury being occasioned to the said sewer or to any part of the embankment masonry brickwork structure or works connected therewith by the construction or working of the said part of the said Railway or the works connected therewith by the Company in pursuance of this Act (whether such injury occurs either during or after the construction or in effecting the maintenance alteration or repair of the said part of the said Railway or of the said works or in or by the user thereof) the Metropolitan Board may restore the said sewer bridge or embankment masonry brickwork structure or works or the part or parts thereof which may be injured in such manner and to such extent as the Metropolitan Board may think necessary or expedient to render the same in as good a condition as it was before such injury was occasioned or as may be expedient to obviate the recurrence of any such injury and the costs of such restoration shall be paid to the Metropolitan Board by the Company on demand and may in case of non-payment be recovered by the said Board in like manner as any simple contract debt of like amount may be recovered and the Company shall also indemnify and keep indemnified the Metropolitan Board against all loss or damage which may be occasioned by any such injury :

Injury to
the Outfall
Sewer to be
made good.

- (7.) The engineer for the time being to the Metropolitan Board or any other engineer from time to time appointed by the said Board for that purpose may from time to time inspect the said part of the said Railway and the works connected therewith for the purpose of ascertaining the condition of the same so far as the same may in the opinion of the said engineer affect or be likely to affect the said sewer or any part of the said embankment or the masonry brickwork or structure thereof or any works connected therewith or any works executed by the Company in pursuance of this Act or any part or parts thereof and for that purpose may at all reasonable times in the daytime after forty-eight hours' notice in writing has been given to the Company or in case of emergency without notice enter himself or with workmen upon the said part of the said Railway and the works connected therewith and may cause the soil of the lands upon which the same are situate to be dug into and opened and the brickwork masonry or structure of the said part

Powers of
inspection.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

of the said Railway and the works connected therewith to be cut into wherever such engineer thinks fit doing as little damage as may be and if any person obstructs or attempts to obstruct or incites any person to obstruct any such engineer or any workmen acting under his authority in the exercise of any of the powers conferred by this section he shall for every such offence be liable to a penalty not exceeding five pounds to be recovered in a summary way before two justices by the Metropolitan Board.

For protection of the Great Eastern Railway Company.

14. In constructing and maintaining the Deviation Railway and works by this Act authorised where the same crosses over or otherwise affects the railways and works of the Great Eastern Railway Company the provisions of section thirteen sub-sections 1 11 12 13 15 16 17 18 19 20 21 of the Act of 1882 shall apply mutatis mutandis for the protection of the Great Eastern Railway Company Provided that the Company shall construct the bridge and other works by which the Deviation Railway shall be carried over the North Woolwich Branch (high and low level lines) of the Great Eastern Company in the parish of West Ham of two spans and of such length as not in any way to interfere with either temporarily or permanently the free and uninterrupted use of the existing lines of railway upon the said high and low level lines or any of them and of a clear height of at least fourteen feet six inches throughout from the level of the existing lines of railway upon the said branch Provided that the Great Eastern Company shall permit the Company to construct an abutment or pier upon their land between the said high and low level lines but so as not to occupy more than five feet in width of the Great Eastern Company's land and provided that such abutment or pier shall not in any way interfere with the free and uninterrupted use of the lines of railway upon the said high or low level lines or any of them and provided further that the Company shall compensate the Great Eastern Company for all or any damage cost or injury which they may sustain or be put to by reason of the construction and maintenance of such abutment or pier preventing the Great Eastern Company utilising the proposed site thereof or any part of it for the purpose of widening or improving their said railways or laying down an additional siding or additional sidings thereon or for any other purpose for which but for the construction and maintenance of such abutment or pier the Great Eastern Company in their sole discretion might have used the same Provided always that the Company may (notwithstanding anything herein contained) if they think fit construct the bridge by which the Deviation Railway shall be carried over the North Wool-

wich Branch (high and low levels) of the Great Eastern Company of one span only and of such a length as not in any way to interfere with the free and uninterrupted use of the existing lines of railway upon the said high and low level lines or any of them and so as not to occupy any of the lands of the Great Eastern Company. A.D. 1883.

The provisions of section ninety-eight of the Act of 1882 shall apply to the Railways and works authorized by this Act and to the traffic of the Great Eastern Company as if the said section had been re-enacted in this Act with reference to the said Railways and works. But nothing in this Act or in the Act of 1882 contained shall be deemed to impose any obligation on the Regent's Canal Railway Company to provide any accommodation at the junction of their railway with the Junction Railway for the interchange and forwarding of traffic over the railways of the Regent's Canal Railway Company, or to interchange or forward traffic, or to carry or permit to be carried any traffic over the last-mentioned railways.

15. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the period of three years from the passing of this Act. Period for compulsory purchase of lands.

16. If the Railway is not completed within five years from the passing of this Act, then on the expiration of that period, the powers by this Act granted 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 is then completed. Period for completion of works.

17. Persons empowered by the Lands Clauses Consolidation Act, 1845, to sell and convey or release lands, may, if they think fit, subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act, 1860, and of this Act, grant to the Company any easement, right, or privilege, not being an easement of water, required for the purposes of this Act, in, over, or affecting any such lands, and the provisions of the said Acts with respect to lands and rent-charges as far as the same are applicable in this behalf, shall extend and apply to such grants and to such easements, rights, and privileges as aforesaid respectively. Power to take easements by agreement.

18. The Company shall abandon the construction of so much of the Railway No. 24, authorized by the Act of 1882, as will be rendered unnecessary by the construction of the Deviation Railway, and on and after the passing of this Act the Company shall except only as is by this Act otherwise expressly provided, be absolutely Part of authorized Railway and works to be abandoned.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883. freed from all obligation with respect to the making and maintaining
of the said portion of Railway No. 24.

Compensa-
tion for
damage to
land by
entry, &c.

19. The abandonment by the Company under the authority of this Act of any portion of any Railway or works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Company on such land, for the purpose of surveying and taking levels, or probing or boring to ascertain the nature of the soil, or setting out of the line of Railway, and shall not prejudice or affect the right of the owner or occupier of any land which has been temporarily occupied by the Company, to receive compensation for such temporary occupation, or for any loss, damage, or injury which may have been sustained by such owner or occupier by reason thereof, or of the exercise as regards such land of any of the powers contained in the Railways Clauses Consolidation Act, 1845, or in the Act of 1882.

Compensa-
tion to be
made in
respect of
portion of
Railway
abandoned.

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

New line of
Railway to
be part of
the Com-
pany's
undertaking.

21. Subject to the provisions of this Act the Railway and works connected therewith, by this Act authorized, shall for all purposes of tolls, rates, and charges be part of the undertaking, Railway, works, and property of the Company, as if the Company had by the Act of 1882 been authorized to acquire make, and maintain the same.

Power to
apply corpo-
rate funds.

22. The Company may, for the purposes of this Act, to which capital is properly applicable, apply any moneys which they are for the time being authorized to raise independently of this Act, and which are not required for the purposes for which the same were authorized to be raised.

23. The Company may, subject to the provisions of Part II. of the Companies Clauses Act, 1863, raise any additional capital not exceeding in the whole sixty-six thousand pounds by the issue at their option of new ordinary shares or stock, or new preference shares or stock or wholly or partially by any one or more of those modes respectively, but the Company shall not issue any share of less nominal value than ten pounds nor shall any such share vest in the person or corporation accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

A.D. 1883.
Power for the Company to raise additional capital, &c.

24. If any money is payable to a holder of shares or stock in the Company, being a minor, idiot, or lunatic, the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Company.

Receipt clause in case of persons not sui juris.

25. The capital in new shares or stock created by the Company under this Act, and the new shares or stock therein, and the holders thereof respectively, shall be subject and entitled to the same powers provisions, liabilities, rights, privileges, and incidents whatsoever in all respects as if that capital were part of the now existing capital of the Company of the same class or description, and the new shares or stock were shares or stock in that capital.

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

26. The capital in new shares or stock created by the Company under this Act shall form part of the capital of the Company.

New shares or stock to form part of the capital of the Company.

27. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the Company, and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares, or to the whole amount of such stock, as the case may be.

Dividends on new shares or stock.

28. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Restriction as to votes in respect of preferential shares or stock.

29. The Company may, in respect of the capital of sixty-six thousand pounds which they are by this Act authorized to raise from time to time borrow on mortgage of the undertaking of the Company any sum not exceeding in the whole twenty-two thousand pounds, in manner following (that is to say): In respect of each sum of thirty-three thousand pounds of such capital of sixty-six thousand pounds any sum not exceeding in the whole eleven

Power to borrow by instalments.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

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

For appointment of a receiver.

30. The provisions in the Act of 1882 whereby the Company is authorized to raise moneys by borrowing for the purposes of their general undertaking, with respect to the appointment of a receiver for enforcing payment by the Company of arrears of principal money or interest or principal money and interest, shall be and the same are hereby repealed, but without prejudice to any appointment which has been made or to the continuance of any proceedings which have been commenced prior to the passing of this Act under such provisions. The mortgagees of the undertaking may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver. In order to authorize the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than ten thousand pounds in the whole.

Existing mortgages to have priority.

31. The principal moneys secured by all mortgages granted by the Company in pursuance of the powers of any Act of Parliament before the passing of this Act and subsisting at the passing hereof shall during the continuance of such mortgages have priority over principal moneys secured by any mortgages granted by virtue of this Act.

[46 & 47 VICT.] *Metropolitan Outer Circle Railway* [Ch. ccviii.]
Act, 1883.

32. The Company may create and issue debenture stock subject to the provisions of Part III. (relating to Debenture Stock) of the Companies Clauses Act, 1863, but notwithstanding anything therein contained the interest of all debenture stock and of all mortgages at any time created and issued or granted by the Company under the Act of 1882 or this or any subsequent Act shall, subject to the provisions of any subsequent Act, rank *pari passu* (without respect to the dates of the securities or of the Acts of Parliament or resolutions by which the stock and mortgages were authorized) and shall have priority over all principal moneys secured by such mortgages.

A.D. 1883.
Debenture
stock.

33. All moneys raised under this Act, whether by shares debenture stock or borrowing, shall be applied only for the purposes of this Act to which capital is properly applicable.

Application
of additional
capital.

34. The Company may increase the number of directors to any number not exceeding ten, provided that while the number of directors is more than six the quorum of a meeting of directors shall be five.

Number of
Directors
may be
increased.

35. Whereas pursuant to the Standing Orders of both Houses of Parliament, and to an Act of the ninth year of the reign of Her present Majesty, chapter twenty, a sum of three thousand one hundred and forty pounds, being equal to five per centum upon the amount of the estimate in respect of the Railway, has been deposited with the Chancery Division of the High Court of Justice in England in respect of the application to Parliament for this Act, which sum is referred to in this Act as the deposit fund: Be it enacted, that, notwithstanding anything contained in the said Act, the deposit fund shall not be paid or 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 (which persons, survivors or survivor, are or is in this Act referred to as the depositors), unless the Company shall, previously to the expiration of the period limited by this Act for the completion of the Railway, open the same for the public conveyance of passengers: Provided, that if within such period as aforesaid the Company open any portion of the Railway for the public conveyance of passengers, then, on the production of a certificate of the Board of Trade specifying the length of the portion of the Railway opened as aforesaid, and the portion of the deposit fund which bears to the whole of the deposit fund the same proportion as the length of the Railway so opened bears to the entire length of the Railway, the Chancery Division shall, on the application of the

Deposit
money not
to be repaid,
except so far
as Railway
is opened.

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883. — depositors or the majority of them, order the portion of the deposit fund specified in the certificate to be paid or transferred to them, or as they shall direct; and the certificate of the Board of Trade shall be sufficient evidence of the facts therein certified, and it shall not be necessary to produce any certificate of this Act having passed, anything in the above-mentioned Act to the contrary notwithstanding.

Application
of deposit.

36. If the Company do not previously to the expiration of the period limited by this Act for the completion of the Railway complete the same and open it for the public conveyance of passengers, then and in every such case the deposit fund, or so much thereof as shall not have been paid to the depositors, shall be applicable and, after due notice in the London Gazette, shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement, construction, or abandonment of the Railway, or any portion thereof, or who have been subjected to injury or loss in consequence of the compulsory powers of taking property conferred upon the Company by this Act and for which injury or loss no compensation or inadequate compensation has been paid, and shall be distributed in satisfaction of such compensation as aforesaid, in such manner and in such proportions as to the Chancery Division of the High Court of Justice in England may seem fit; and if no such compensation is payable, or if a portion of the deposit fund has been found sufficient to satisfy all just claims in respect of such compensation, then the deposit fund, or such portion thereof as may not be required as aforesaid, shall either be forfeited to Her Majesty, and accordingly be paid or transferred to or for the account of Her Majesty's Exchequer in such manner, as the Chancery Division 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 Chancery Division, 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 or transferred 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 deposit fund has been repaid to the depositors, or has become otherwise applicable as herein-before mentioned, any interest or dividends accruing thereon shall from time to time, and as often as the same shall become payable, be paid to or on the application of the depositors.

37. 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 so made known their intention.

A.D. 1883.

Company to give notice before taking dwellings of labouring classes.

38. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or part of any house which the Company are by this Act authorized to acquire, and to which the immediately preceding enactment shall apply, the Company, notwithstanding the certificate of such justice as aforesaid, shall (unless the Company and such person otherwise agree) provide sufficient accommodation elsewhere for such person: Provided always, that if any question arises as to the sufficiency of such accommodation, the same shall be determined by a justice, and the Company may, for the purpose of procuring such accommodation, appropriate any lands for the time being belonging to them, or which they have power to acquire, and may purchase by agreement such further lands as may be necessary for such purpose, and may on such lands erect labouring-class dwellings, and may let on lease or otherwise dispose of such lands and buildings, and may apply, for the purposes of this section, or any of them, any moneys they may have already raised, or which they are empowered to raise.

Company to provide accommodation for persons of the labouring classes to be displaced.

39. The Company on the one hand, and the London, Tilbury, and Southend Railway Company and the Great Western Railway Company, or either of them 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 agreements with respect to the following purposes, or any of them (that is to say):—

Working and traffic arrangements with other Companies.

The use working maintenance or management of the Railway, or any part thereof, and the conveyance of traffic thereon, and the employment of officers and servants for the conduct of the traffic:

The supply and maintenance under any agreement for the Railway being worked and used by the working Companies or any of them of engines, stock, and plant necessary for and during the continuance of such agreement:

[Ch. ccviii.] *Metropolitan Outer Circle Railway* [46 & 47 VICT.]
Act, 1883.

A.D. 1883.

The regulation and interchange of traffic passing between the Railways of the Companies, parties to such agreement:

The fixing and collection and apportionment of the tolls, rates, charges, receipts, and revenues, levied, taken, or arising in respect of traffic:

The payments and allowances to be made, and the conditions to be performed, with respect to the matters aforesaid.

Tolls on traffic conveyed partly on the Railway and partly on the Railways of the working Companies.

40. During the exercise of the running powers given by this Act or the continuance of any agreement to be entered into under the provisions of this Act, for the working and use of the Railway by all or any of the other Companies, the Railway of the Company, and of the other Companies or Company shall, for the purposes of short distance tolls and charges, be considered as one Railway, and in estimating the amount of tolls and charges in respect of traffic conveyed partly on the Railway and partly on the railways of the other Companies or Company, as the case may be, for a less distance than four miles, tolls and charges may be charged as for four miles; and in respect of passengers, for every mile or fraction of a mile beyond four miles, tolls and charges as for one mile only; and in respect of animals and goods, for every quarter of a mile, or fraction of a quarter of a mile beyond four miles, tolls and charges as for a quarter of a mile only; and no other short distance charge shall be made for the conveyance of passengers, animals, or goods partly on the Railway and partly on the railways of the other Companies or Company.

Saving powers to Metropolitan and Great Eastern Companies under Sections 95 and 98 of the Act of 1882.

41. Provided always that so far as relates to the Metropolitan Railway Company and the Great Eastern Railway Company respectively the provisions contained in the two last preceding sections shall be subject and without prejudice to the provisions contained in sections ninety-five and ninety-eight respectively of the Act of 1882.

Saving powers of London Tilbury and Southend Railway Company.

42. Whereas by sections ninety-three and ninety-four of the Act of 1882 certain powers are conferred on the London Tilbury and Southend Railway Company with reference to the Railways by that Act authorized Be it therefore enacted that the Railway shall for all purposes of the said section be deemed to have been authorized by that Act.

Interest not to be paid on calls paid up.

43. The Company shall not out of any money by this Act authorized 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

[46 & 47 VICT.] *Metropolitan Outer Circle Railway* [Ch. ccviii.]
Act, 1883.

the amount of the calls actually made as is in conformity with the Companies Clauses Consolidation Act 1845. A.D. 1883.

44. The Company shall not out of any money which they are by any Act authorized to raise, 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 authorizing the Company to construct any other railway, or to execute any other work or undertaking. Deposits for future Bills not to be paid out of Company's capital.

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

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

