CHAPTER 1.

An Act to empower the Baker Street and Waterloo Railway Company to construct a subway and for other purposes. [26th July 1910.]

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WHEREAS the Baker Street and Waterloo Railway Company (in this Act called "the Company") have under powers conferred upon them by the Baker Street and Waterloo Railway Acts 1893 to 1906 constructed and are working a system of underground railways between the Elephant and Castle and Edgware Road:

And whereas it is expedient that the Company should be authorised to construct the subway in this Act described in connection with their existing station at or near Oxford Circus and to acquire the additional lands in this Act mentioned or referred to for the purpose of extending their said existing station and of constructing works and conveniences in connection therewith as in this Act provided:

And whereas it is expedient that powers should be conferred upon the Company on the one hand and the Great Northern Piccadilly and Brompton Railway Company (in this Act called "the Brompton Company") on the other hand for entering into agreements with respect to the respective station lands and works of the Company and the Brompton Company at or near Piccadilly Circus and Jermyn Street and for dealing with such station lands and works:

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

[*Price* 1*s.* 6*d.*]

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And whereas it is expedient that the Brompton Company should be authorised to apply their funds for the purposes of this Act relating to them:

And whereas it is expedient that other powers should be conferred as in this Act contained:

And whereas plans and sections showing the lines and levels of the subway authorised by this Act and plans of the lands by this Act authorised to be acquired and also a book of reference to such 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 London and are hereinafter respectively referred to as the deposited plans sections and book of reference:

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

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

Short title.

1. This Act may be cited as the Baker Street and Waterloo Railway Act 1910 and the Baker Street and Waterloo Railway Acts 1893 to 1906 and this Act may be cited together as the Baker Street and Waterloo Railway Acts 1893 to 1910.

Incorporation of general Acts.

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

The Lands Clauses Acts:

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

The construction of the railway and the works connected therewith;

Section 45 (as to lands for additional stations);

The settlement of disputes by arbitration;

Section 138 (as to service of notices); and

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

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 And—

The expression "the subway" means the subway by this Act authorised;

The expressions "the Act of 1893" "the Act of 1896" "the Act of 1902" "the Act of 1903" and "the Act of 1906" respectively mean the Baker Street and Waterloo Railway Acts of 1893 of 1896 of 1902 of 1903 and of 1906;

The expression "the Charing Cross Company" means the Charing Cross Euston and Hampstead Railway Company;

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

Power to make subway.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and according to the levels shown on the deposited plans and sections the subway and works hereinafter described with all necessary and convenient lifts inclines stairs escalators approaches passages stagings sewers drains pipes wires apparatus plant appliances works and conveniences connected therewith or incidental thereto and may subject as aforesaid enter upon take and use such of the lands delineated on the said plans and described in the deposited book of reference as may be required for those purposes The subway hereinbefore referred to and authorised by this Act will be situate in the county of London and is—

A subway to be situate in the parish of St. James in the city and metropolitan borough of Westminster and in the parish and metropolitan borough of St. Marylebone in and under Oxford Street Oxford Circus and Regent Street and Argyll Street or some of them commencing at or near the Oxford Circus Station buildings of the Company and

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terminating at or near the southern end of the Oxford Circus Station tunnels of the Company at a point beneath Regent Street 1·75 chains or thereabouts measured in a southerly direction from the junction of Great Castle Street with Regent Street.

Power to acquire additional lands.

5. Subject to the provisions of this Act the Company may enter upon take and use the lands house and other property hereinafter described and which are delineated on the deposited plans and described in the deposited book of reference (that is to say) :—

The lands house and other property known as the Argyll Hotel or Restaurant and being No. 18 Argyll Street in the parish of St. James in the city and metropolitan borough of Westminster in the county of London;

and may hold and use the said lands house and other property for the purpose of extending re-arranging altering adding to or improving their existing station premises and works at or near Oxford Circus by the construction on in or under such lands or buildings of shafts lifts stairways subways approaches and other accommodation or conveniences (all in this Act referred to as "the existing station extensions") and for other purposes connected with or as part of their undertaking.

Incorporating certain provisions of existing Acts.

6. The provisions contained in the sections of the Acts of 1893 1902 1903 and 1906 which are mentioned or referred to in the First Schedule to this Act (except so far as the same or any part or parts thereof are expressly repealed amended or varied by this Act and subject to any such amendment) are incorporated with and shall form part of this Act and shall so far as applicable extend and apply to the subway and works by this Act authorised the roads under and along which the same are to be made the existing station extensions the lands by this Act authorised to be acquired and the several bodies or persons named or referred to in those sections as fully and effectually to all intents and purposes as if those provisions had been expressly re-enacted in this Act with reference thereto respectively :

Provided always that wherever in those sections district boards of works or vestries or railways are mentioned or referred to the same shall be read and construed as if the respective metropolitan borough councils had been mentioned or referred

to therein instead of boards of works or vestries and as though the subway by this Act authorised had been mentioned or referred to therein instead of railways: A.D. 1910.

Provided also that (except for the purpose of making trial borings as provided by the Act of 1902 as incorporated with this Act and except as expressly provided by this Act) nothing in this Act shall authorise the Company to enter upon take or use the surface of any public street or road but (subject as aforesaid) the Company may enter upon take and use without payment of compensation therefor the subsoil and undersurface of any public street road footway or place shown on the deposited plans and described in the deposited book of reference or so much thereof as shall be necessary for the purposes aforesaid.

For protection of Metropolitan Water Board.

7. Section 82 of the Act of 1893 as extended and applied by this Act shall in relation to the Metropolitan Water Board be read and have effect as if twenty-eight and fourteen days respectively were inserted in subsections (1) and (2) thereof instead of fourteen and seven days respectively.

For protection of St. Marylebone Borough Council.

8. Notwithstanding anything contained in the Baker Street and Waterloo Railway Acts 1893 to 1910 the following provisions for the protection and benefit of the mayor aldermen and councillors of the metropolitan borough of Saint Marylebone (in this section called "the council" and "the borough" respectively) shall except so far as may be otherwise agreed in writing between the council and the Company apply and have effect (that is to say):—

(1) The Company shall not place any hoarding in any part of any street within the borough of Saint Marylebone and for the purposes of this section the whole width of Oxford Street shall be deemed to be in the said borough:

(2) In the construction of the subway by this Act authorised the Company shall not deviate upwards from the levels shown on the deposited sections without the consent of the council which shall not be unreasonably withheld:

(3) The Company shall not in any way interfere with any underground lavatories or sanitary conveniences belonging to the council (all of which shall be

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deemed to be works of the council within the meaning of section 56 of the Act of 1893) and shall make full compensation to the council for any damage to or subsidence of any streets vested in or repairable by the council or any such lavatories conveniences or any sewers drains lines or works belonging to the council which may be caused by or in consequence of the exercise of any of the powers of this Act or any act or default of the Company their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the works or at any time thereafter:

(4) The works of the Company shall be constructed and maintained by them of sufficient strength to support the traffic over and along the streets in the borough beneath which the works are constructed and also all such lavatories sanitary conveniences sewers drains and works:

(5) If by reason of the exercise of any of the powers of the said Acts conferred upon the Company the cost of the construction or maintenance of any street sewer drain electric work underground lavatory or convenience or other works of the council shall be increased the Company shall bear any extra cost of such construction or maintenance rendered necessary by the existence of the Company's works and shall afford every facility for the construction or maintenance of such street sewer drain electric work underground lavatory or convenience or other works by the council:

(6) It shall be lawful for the surveyor or other officer of the council duly appointed for the purpose at all reasonable times to enter upon and inspect any works in the borough executed under the powers of this Act during and at any time after the execution thereof and the Company shall give to such surveyor or officer all reasonable facilities for such inspection and if he shall be of opinion that the construction of the works or other operations of the Company are attended with danger to any buildings sewer drain or work belonging to or under the jurisdiction or control of the council

the Company shall adopt such measures and precautions as may be considered necessary for the purpose of preventing any damage or injury thereto and in the event of any difference arising between the council and the Company with reference thereto such difference shall be referred to arbitration:

(7) If by the certificate of the surveyor it appears that any of the roads repairable by the council have been injured or any extra expense has been incurred by the council for repair of such roads by reason of the extraordinary traffic in the making or construction of the works authorised by this Act the Company shall on demand pay to the council such costs charges and expenses as may be certified by the surveyor or if the amount thereof be disputed then such sum as may be determined by arbitration:

(8) In the construction of the subway by this Act authorised the Company shall not permit or suffer any cart or wagon or other vehicle employed in removing from or bringing to the said works any soil materials or plant to be loaded or unloaded in any part of any public thoroughfare within the borough:

(9) Any difference which may arise between the council and the Company under the provisions of this section shall unless otherwise agreed be referred to and determined by an engineer or other fit person to be appointed by the president for the time being of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

For protection of Westminster City Council.

9. For the protection of the council of the city of Westminster (in this section called "the city council") the following provisions with reference to so much of the subway and other works by this Act authorised as will be made in the city of Westminster (in this section called "the city") shall notwithstanding anything in this Act contained or shown on the aforesaid plans and sections apply and have effect:—

(1) Except as hereinafter provided the Company shall not break up or disturb the surface of any street or road for the purpose of constructing the subway or the existing station extensions nor open or make any

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ventilators air shafts or other similar openings in any roadway or footway but nothing herein contained shall restrict the right of the Company to the use of the streets or roads for purposes of ordinary traffic or of access to or in connection with any of their lands or buildings or take away or diminish any rights which they would have as owners or occupiers of lands or buildings abutting upon any street or road Provided always that subject to the provisions of this Act the Company for the purpose of constructing and maintaining the subway and the existing station extensions may enter upon and open up the surface of the roadway and footways of Argyll Street within the limits of deviation of the subway Provided that the Company shall not under the powers of this Act enter upon or open up any part of the surface of any street except upon such conditions as the city council may reasonably impose and under the control and superintendence of the said city council and the Company shall give to the said city council not less than one month's previous notice in writing of their intention to enter upon and open up the surface of any such street:

(2) The Company shall not deposit any subsoil or materials anywhere within the city so as to cause any nuisance or obstruction to any person using the streets roads or footways within the city and if the Company their contractors servants or agents commit any breach of this subsection they shall be liable to a penalty not exceeding forty shillings for each offence:

(3) It shall not be lawful for the Company to remove any soil or material from under any roadway or footway within the city except such as must be excavated from the space to be occupied by the subway and approaches thereto:

(4) Where any part of any roadway or footway within the city shall have been broken up or disturbed by the Company the Company shall make good the surface of such roadway or footway to the reasonable satisfaction of the city engineer:

(5) The subway and other works shall be constructed and maintained by the Company in such manner as at all

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times to support not only the ordinary traffic and any other exceptional traffic lawfully using the streets within the city but also any steam roller or other apparatus that the city council or its contractors for the time being may use for repairing the streets or roadways under its control and the Company shall indemnify the city council against and make good to it all costs and expenses that the city council may incur or be put to by reason of any defect or insufficiency in strength of the subway or works and any neglect to properly and effectually maintain the same as aforesaid or in the construction or user of the subway and works:

(6) The Company shall make full compensation to the city council for any subsidence of or damage to any roadway footway sewer drain or other work vested in or under the jurisdiction or control of the city council which may be caused by or in consequence of the act or default of the Company their contractors servants or agents and whether such damage or subsidence shall happen during the construction of the works by the company or at any time thereafter:

(7) It shall not be lawful for the Company to place any hoarding in any part of any public footway in the city except in such position and of such extent as shall be agreed with the city engineer or failing agreement determined by arbitration and for such periods as shall be reasonably necessary for carrying out the works by this Act authorised and no such hoardings shall be erected except under the provisions of the Metropolis Management Act 1855 and the London Building Act 1894 (Local) and any Act or Acts amending the same:

(8) It shall be lawful for the city engineer from time to time during the construction of the works to enter upon and inspect any works of the company in the city and if he shall be of opinion that the construction of the works or other operations of the Company within the city are attended with danger to any sewer drain or work belonging to or under the jurisdiction and control of the city council the Company shall adopt such measures and precautions as may be

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considered necessary by the city engineer for the purpose of preventing any damage or injury thereto:

(9) If any difference shall arise between the city council or their engineer and the Company under any of the provisions of this section such difference shall (unless otherwise herein provided) be referred to an engineer to be appointed on the application of either party by the president of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to the reference.

For protection of Central London Railway Company.

10. For the protection of the Central London Railway Company (in this section called "the Central Company") the following provisions shall unless otherwise agreed between the Central Company and the Company be observed and have effect (that is to say):—

(*a*) Notwithstanding anything shown on the deposited plans and sections or contained in this Act the Company shall not enter upon take use or interfere with either temporarily or permanently the railway works or property of the Central Company without the consent in writing of the Central Company under their common seal previously obtained:

(*b*) The Company shall not construct the subway or any part thereof at a lower depth than that shown on the deposited sections:

(*c*) The engineer of the Central Company and his duly authorised assistants shall at all reasonable times during the construction of the subway have free access to the works of the Company where the said works shall pass over or within one hundred feet of the Central Company's railway and works and every reasonable facility shall be afforded to them for the inspection thereof and every reasonable notice which they may give touching any defect or precaution shall immediately or as soon as possible be complied with by the Company:

(*d*) The Company shall not for the purposes of this Act either temporarily or permanently close or stop up the existing low level passages or subways belonging to the Company or the Central Company or both of them and connecting the stations of the Company

and the Central Company at or near Oxford Circus and shall at all times preserve convenient access between the said stations and if at any time or times hereafter the full uninterrupted and safe user of the railway and works of the Central Company or of the said passages or subways or any traffic thereon shall be obstructed hindered or interfered with by reason or in consequence of the Company's operations the Company shall pay to the Central Company all costs and expenses to which they may be put as well as full compensation for the loss sustained by them by reason of any such obstruction hindrance or interference:

(*e*) If any difference shall arise between the Company and the Central Company or their respective engineers with reference to the matters aforesaid such difference shall be referred to and determined on the application of either party by an engineer to be appointed failing agreement by the president of the Institution of Civil Engineers in accordance with the provisions of the Arbitration Act 1889.

For protection of London County Council.

11. The following provisions shall unless otherwise agreed have effect for the protection of the London County Council (hereinafter called "the council") (that is to say):—

(1) The Company shall not without the consent of the council construct under any street or roadway any part of the subway and works by this Act authorised which will be within 25 feet of the surface of such street or roadway except in accordance with plans and sections submitted to and approved by the council and such approval shall not be unreasonably withheld:

(2) If the Company acquire the surface of the properties in the city of Westminster numbered 1 and 2 on the deposited plans relating to additional lands they shall forthwith extend the footways of Argyll Street over the forecourt of such properties and such extended footways shall thereupon be deemed to form part of the highway of that street and shall be paved or otherwise made up by the Company to the satisfaction

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of the council of the said city and shall thereafter be maintained repaired cleansed and lighted by the council of such city.

For protection of Lord Howard de Walden and Seaford.

12. For the protection of the Right Honourable Thomas Evelyn Baron Howard de Walden and Seaford his heirs and assigns (in this section referred to as "the owner") the following provisions shall unless otherwise agreed in writing between the owner and the Company apply and have effect (that is to say):—

(1) The Company shall not if they construct any part of the subway beneath any part of the lands numbered 1 and 8 on the deposited plans of the subway deviate upwards from the levels of such part thereof as shown on the deposited sections without the previous consent of the owner which shall not be unreasonably withheld:

(2) The Company shall before commencing the construction of the subway or any work connected therewith below adjacent to or in the neighbourhood of the buildings on the owner's estate in the block of buildings adjoining the northern side of Oxford Street the eastern side of Regent Street the western side of Great Portland Street and the southern side of Great Castle Street cause photographs on a large scale to be taken at their own expense of the front elevations of the said buildings and such photographs if on examination they are found to be correct shall be signed in duplicate by the surveyor of the owner and the engineer or surveyor of the Company and kept as records of the condition of such buildings at that date:

(3) The subway shall be constructed of such strength as to allow the erection thereover and on the adjoining and neighbouring land of the owner at any time hereafter by the owner or his lessees of a brick and stone building built in steel or other metal construction of one hundred and fifty feet in height from the sub-basement to the top of the main parapet of such building If such building is constructed of a greater height than aforesaid and the subway is of insufficient strength to support the same the cost of any extra foundation work necessary

to give the requisite support shall be borne by the Company : A.D. 1910.

(4) If the Company shall in constructing the subway desire to pump or extract water from the subsoil near any property of the owner they shall make provision for preventing the withdrawal of any such water from the adjoining strata :

(5) The engineer and surveyor of the owner or either of them may at all reasonable times during the construction of the subway and any work connected therewith have free access thereto and may inspect the same and the Company shall give such engineer and surveyor all reasonable facilities for such inspection and if they shall be of opinion that the construction of the subway or of any work connected therewith is not being carried on in accordance with the provisions of this section or is attended with danger to the property of the owner the Company shall forthwith adopt such additional measures and precautions as may be reasonably necessary for the purpose of preventing damage or injury to such property :

(6) Any difference which may arise between the Company and the owner with respect to the provisions of this section or in any way arising thereout shall be referred to an engineer to be appointed on the application of either party by the president of the Institution of Civil Engineers and subject as aforesaid in accordance with the provisions of the Arbitration Act 1889.

For protection of Peter Robinson Limited.

13. The following provisions for the protection of Peter Robinson Limited shall unless otherwise agreed between the Company and Peter Robinson Limited be observed and have effect (that is to say) :—

(1) The expression "premises" when used in this section means and includes the lands numbered 4 and 6 on the deposited plan of the subway and the lands known as No. 34 Great Castle Street and the Union Tavern Great Portland Street and so much of the lands of Peter Robinson Limited as are situate within fifty feet to the west and south of the boundaries of

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the lands numbered 1 and 2 on the deposited plan of additional lands in the city of Westminster:

(2) The Company shall not if they construct any part of the subway beneath any part of the premises numbered 4 and 6 as above mentioned deviate upwards from the levels of such part thereof as shown on the deposited sections without the previous consent of Peter Robinson Limited which shall not be unreasonably withheld:

(3) The Company shall before commencing the construction of the subway or any work connected therewith below adjacent to or in the neighbourhood of the buildings on the premises cause photographs on a large scale to be taken at their own expense of the front elevations of the said buildings and such photographs if on examination they are found to be correct shall be signed in duplicate by the surveyor of Peter Robinson Limited and the engineer or surveyor of the Company and kept as records of the condition of such buildings at that date:

(4) The subway shall be constructed of such strength as to allow the erection thereover and on the adjoining and neighbouring portions of the premises at any time hereafter by Peter Robinson Limited of a brick and stone building built in steel or other metal construction of one hundred and fifty feet in height from the sub-basement to the top of the main parapet of such building If such building is constructed of a greater height than aforesaid and the subway is of insufficient strength to support the same the cost of any extra foundation work necessary to give the requisite support shall be borne by the Company:

(5) If the Company shall in constructing the subway desire to pump or extract water from the subsoil near any property of Peter Robinson Limited they shall make provision for preventing the withdrawal of any such water from the adjoining strata:

(6) The engineer and surveyor of Peter Robinson Limited or either of them may at all reasonable times during the construction of the subway and any work connected

therewith have free access thereto and may inspect the same and the Company shall give such engineer and surveyor all reasonable facilities for such inspection and if they shall be of opinion that the construction of the subway or of any work connected therewith is not being carried on in accordance with the provisions of this section or are attended with danger to the premises the Company shall forthwith adopt such additional measures and precautions as may be reasonably necessary for the purpose of preventing damage or injury to such property:

(7) Any difference which may arise between the Company and Peter Robinson Limited with respect to the provisions of this section or in any way arising thereout shall be referred to an engineer to be appointed on the application of either party by the president of the Institution of Civil Engineers and subject as aforesaid in accordance with the provisions of the Arbitration Act 1889.

Period for compulsory purchase of lands.

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

Owners may be required to grant easements only under certain conditions.

15. With respect to the properties shown on the deposited plans which are described or referred to in the Second Schedule to this Act notwithstanding anything contained in this Act or the said plans the Company shall not be required to purchase or take the same or any part of the surface thereof but the Company may purchase and take and the owners of and other persons interested in any such properties shall sell an easement or right of using the subsoil and undersurface thereof for the purposes of the undertaking of the Company and the provisions of the Lands Clauses Acts with respect to lands shall extend and apply to such easement or right of user except that no such easement or right of user shall be deemed part of a house or other building or manufactory within the meaning of section 92 of the Lands Clauses Consolidation Act 1845 and that any question of disputed purchase money or compensation under this section shall be settled by arbitration in manner prescribed by the said Acts.

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Restrictions on breaking up surface of streets.

16. Except as hereinafter provided the Company shall not break up or disturb the surface of any street or road for the purpose of constructing the subway or the existing station extensions nor open or make any ventilators air shafts or other similar openings in any roadway or footway but nothing herein contained shall restrict the right of the Company to the use of the streets or roads for purposes of ordinary traffic or of access to or in connection with any of their lands or buildings or take away or diminish any rights which they would have as owners or occupiers of lands or buildings abutting upon any street or road Provided always that subject to the provisions of this Act the Company for the purpose of constructing and maintaining the subway and the existing station extensions may enter upon and open up the surface of the roadway and footways of Argyll Street within the limits of deviation of the subway Provided that the Company shall not under the powers of this Act enter upon or open up any part of the surface of any street except upon such conditions as the London County Council may reasonably impose and under the control and superintendence of the said council and the Company shall give to the said council not less than one month's previous notice in writing of their intention to enter upon and open up the surface of any such street.

Period for completion of subway.

17. If the subway be 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 subway or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

As to stations at Piccadilly Circus and Jermyn Street.

18.—(1) The Company and the Brompton Company may hold as joint tenants the lands buildings stations station sites shafts lifts stairways subways passages and other works and conveniences of the Company and the Brompton Company respectively at or near Piccadilly Circus and Jermyn Street in the parish of St. James in the city and metropolitan borough of Westminster (in this section called "the joint premises") and the Company and the Brompton Company may make execute and do any deed act or thing for effectuating such joint tenancy.

(2) The Company on the one hand and the Brompton Company on the other hand may enter into and carry into effect

agreements with respect to the working maintenance renewal and user of the joint premises and the construction ownership maintenance renewal and user of shafts lifts stairways subways passages and other works and conveniences and other communications between their respective railways and works at or near Piccadilly Circus and Jermyn Street aforesaid.

(3) The provisions of section 36 of the Act of 1906 shall extend and apply to any lands buildings stations or station sites in this section referred to and the powers of the said section 36 may be exercised by the Company and the Brompton Company jointly with regard to such lands buildings stations or station sites Provided always that nothing in this section contained shall prejudice or affect the several powers conferred on the Company by the said section 36 or upon the Brompton Company by section 13 of the Great Northern Piccadilly and Brompton Railway (Various Powers) Act 1903 and section 25 of the Great Northern Piccadilly and Brompton Railway Act 1908.

Powers of Commissioners of Woods to grant a lease for 999 years.

19. The powers of leasing given by the Crown Lands Act 1829 shall extend to enable the Commissioners of Woods (*a*) to grant and to enter into any agreement for granting to the Company and the Brompton Company jointly a lease for any term not exceeding nine hundred and ninety-nine years of the Crown lands at or near Piccadilly Circus and Jermyn Street at the rent and upon the terms and conditions prescribed in a certain agreement dated the fourteenth day of July one thousand nine hundred and three and made between the King's most Excellent Majesty of the first part John Francis Fortescue Horner the Commissioner of Woods in charge of the Land Revenues of the Crown in the county of London on behalf of His Majesty of the second part and the Company and the Brompton Company of the third part and (*b*) with the consent of the Treasury to grant and enter into agreements for granting to the Company a lease or leases of such Crown lands easements and rights as may be required for any of the purposes of this Act for any term not exceeding nine hundred and ninety-nine years from the passing of this Act and the Commissioners of Woods may take a fine on the granting of any such lease as last aforesaid in lieu of such annual sum as it shall appear to them would together with any annual sum reserved by the lease have been a reasonable rent or consideration for such lease in case no fine had been taken and the amount of any fine taken under the powers of this Act

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shall be carried to the account of the capital of the land revenues of the Crown and be applied accordingly.

Repeal of section 22 of Act of 1896.

20. Section 22 (Extension of time for sale of superfluous land) of the Act of 1896 is hereby repealed.

Power to apply corporate funds to purposes of Act.

21. The Company may apply to the purposes of this Act or to the general purposes of their undertaking being in all cases purposes to which capital is properly applicable any of the moneys which they now have in their hands or which they have power to raise by shares stocks or debenture stock or borrowing by virtue of the Baker Street and Waterloo Railway Acts 1893 to 1906 and which may not be required for the purposes to which they are by those Acts made specially applicable.

Power to Brompton Company to apply funds.

22. The Brompton Company may apply to any of the purposes of this Act in which they are interested and to which capital is properly applicable any of the moneys which they now have in their hands or which they may be authorised to raise by any of the Acts relating to the Brompton Company and which may not be required for the purposes to which they are by those Acts or any of them made specially applicable.

For protection of Office of Works.

23. Plans as regards the elevations of any buildings proposed to be erected on or over any lands acquired or to be acquired by the Company and over any of their stations or sites of their stations which may be opposite to or within one hundred yards of any public buildings or park vested in or in charge of the Commissioners of Works shall be submitted to the said Commissioners for approval before erection but if the said Commissioners do not approve of such plans within one month after such submission such plans shall be referred for approval to the president of the Royal Institute of British Architects or an architect to be nominated by him The referee on any such reference shall hear the objections of the said Commissioners to the submitted plans and the costs of the said Commissioners of the reference and incidental thereto and the charges of the referee shall be borne by the Company The Company shall only build in accordance with the plans as so approved by the Commissioners or the referee as the case may be.

Saving rights of Crown.

24. Nothing contained in this Act shall authorise the Company to take use or in any manner interfere with any land or hereditaments (including the subsoil and undersurface of any

street or road) or any rights of whatsoever description belonging to the King's most Excellent Majesty in right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the King's Majesty.

Provision as to general Railway Acts.

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

Costs of Act.

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

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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

Sections and Provisions of the Acts of 1893 1902 1903 and 1906 which are incorporated with this Act.

Marginal Note of Section.	Number of Section.
Act of 1893.	
Persons authorised to convey land may grant easements	34
Power to deviate laterally	36
Power to deviate vertically	37
No ventilators &c. to be made in roadway or footways	39
Provision as to cellars under streets not referenced	40
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