CHAPTER clxxxv.

An Act to authorise the Metropolitan Railway Company to deviate parts of the Rickmansworth Extension Railway and Chorley Wood Lane to purchase additional lands to extend the time for compulsory purchase of lands and completion of works to give effect to an arrangement for vesting in them the powers to make and maintain Railway No. 2 authorised by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 to provide for consolidation of debenture stocks and for other purposes. [28th July 1884.] A.D. 1884.

WHEREAS it is expedient that the Metropolitan Railway Company (in this Act called "the Company") should be authorised to make a deviation in the parishes of Harrow-on-the-Hill Pinner and Ruislip in the county of Middlesex of their Rickmansworth Extension Railway authorised by the Rickmansworth Extension Railway Act 1880 (in this Act called "the Act of 1880") also a deviation in the parish of Rickmansworth in the county of Hertford of part of a public carriage road known as Chorley Wood Lane:

And whereas it is expedient that the respective times limited by the Aylesbury and Rickmansworth Railway Act 1881 for the compulsory purchase of lands and for the completion of the works thereby authorised and the time limited by section ten of the Metropolitan Railway Act 1881 for the compulsory purchase by the Company of certain lands in the parish of Saint Marylebone in the county of Middlesex and by the Company and the Great Western Railway Company or either of them of certain lands in the parish of Paddington in the same county should be extended and that the Company should be authorised to purchase for purposes in connexion with the intended works or the Company's undertaking certain lands and buildings in the respective parishes of Saint Giles Cripplegate in the city of London Saint Mary Whitechapel

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and Saint Pancras in the county of Middlesex and in the said parish of Rickmansworth:

And whereas by the Metropolitan Railway Act 1877 it was (section 25) enacted that the Company or any person holding from the Company should not be bound to sell any of the land coloured blue on the plan therein referred to to any person claiming a right of pre-emption with respect to such land under the provisions of the Lands Clauses Consolidation Act 1845 at a less price than the average sum per acre awarded in the case of Prout and the Company together with interest thereon up to the date of any demand to exercise the right of pre-emption and all the land in respect of which the said right of pre-emption might have been claimed has been purchased by and is now vested in the Company and it is expedient that such rights of pre-emption should be extinguished:

And whereas by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 (in this Act called "the Act of 1879") the Company and the District Company were authorised to make jointly the railways therein described including Railway No. 2 one furlong and 1·12 chains in length commencing in the parish of Saint Botolph-without-Aldgate by a junction with the rails of the Metropolitan Railway and terminating in the parish of Saint Mary Whitechapel beneath the roadway of Whitechapel High Street:

And whereas pursuant to an arrangement between the said two companies the said Railway No. 2 has been made by the Company only at their expense and it is expedient that all the powers vested by the said Act in the two companies jointly in respect to the said Railway No. 2 should be vested in and exercised by the Company solely and effect be given to the said arrangement:

And whereas a statement of the borrowing powers mortgages and debenture stocks of the Company is set forth in the Schedule to this Act and it is expedient that provision should be made for the conversion of the several classes of debenture stock into a consolidated three and a half per centum debenture stock and that the Company should be authorised to raise a further sum of money:

And whereas plans and sections of the railway and works by this Act authorised and showing the lands which may be taken under the powers of this Act and books of reference to the said plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands have been duly deposited with the respective clerks of the peace for the counties of Middlesex and Hertford and for the county of the city

of London and are respectively in this Act referred to as the deposited plans sections and books of reference:

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

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

Short title.

1. This Act may be cited as the Metropolitan Railway (Various Powers) Act 1884.

Incorporation of general Acts.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 the Railways Clauses Consolidation Act 1845 Parts I. and II. of the Railways Clauses Act 1863 (relating respectively to construction of railway and extension of time):

The clauses and provisions of the Companies Clauses Consolidation Act 1845 with respect to

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

The payment of subscriptions and means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of the creditors of the Company against shareholders;

The consolidation of shares into stock;

The making of dividends;

The giving of notices; and

The provision to be made for affording access to the Special Act by all parties interested;

And also Parts I. and II. of the Companies Clauses Act 1863 relating respectively to the cancellation and surrender of shares and to additional capital;

are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation.

3. In this Act—

The expression "the incorporated Acts" shall mean the Acts and parts of Acts incorporated with this Act;

The several words and expressions to which meanings are assigned by the incorporated Acts shall have the same respective meanings;

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The expression "the joint committee" means the joint committee appointed under the provisions of the Act of 1879;

In the incorporated Acts—

The expression "the special Act" shall mean this Act;

In this Act and the incorporated Acts—

The expression "superior court" or "court of competent jurisdiction" or other like expression 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.

Interpretation of term "parish clerks," &c.

4. The expressions "parish clerks" and "clerks of the several parishes" in sections 7 8 and 9 of the Railways Clauses Consolidation Act 1845 shall with reference to the Company and as regards those parishes in which by the standing orders of either House of Parliament plans sections and other documents are required to be deposited with the clerk of the vestry of the parish mean the vestry clerk of the parish.

Powers to take lands.

5. Subject to the provisions of this Act and for the purposes of their undertaking the Company may enter upon take and use all or any of the lands and buildings in the said parishes of Saint Giles Cripplegate Saint Mary Whitechapel Saint Pancras and Rickmansworth which are delineated on the deposited plans and described in the deposited books of reference.

Power to make railway, &c.

6. Subject to the provisions of this Act the Company may make and maintain in the line and according to the levels shown on the deposited plans and sections the railway and works described in this Act with all proper stations approaches works and conveniences 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 railway and works herein-before referred to and authorised by this Act are the following (that is to say):—

1. A railway two miles four furlongs in length (being a deviation of the Rickmansworth Extension Railway) commencing in the parish of Harrow-on-the-Hill in the county of Middlesex by a junction with the said authorised Rickmansworth Extension Railway at a point two furlongs and two chains or thereabouts distant from the bridge carrying the Roxborough Road over the Kingsbury and Harrow Railway and terminating in the parish of Ruislip in the same county by a junction with the said authorised railway at a point four chains or thereabouts distant from Camden Cottage;

2. A road in the parish of Rickmansworth in the county of Hertford being a deviation or diversion of the public carriage road known as Chorley Wood Lane commencing by a junction with the said lane three chains or thereabouts south of its junction with the road leading to the rectory farm and terminating in the said lane at a point four chains or thereabouts north of its junction with the High Street in the town of Rickmansworth.

Power to take easements by agreement.

7. 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 rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Period for compulsory purchase of lands.

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

Inclination of roads.

9. In altering for the purposes of this Act the roads next hereinafter mentioned the Company may make the same of any inclinations not steeper than the inclinations herein-after mentioned in connexion therewith respectively (that is to say) :—

No. on deposited Plan.	Parish.	Description of Road.	Intended Inclination.
39 and 42	Rickmansworth - - -	Public -	1 in 18.

Notice to be given of taking houses of labouring classes.

10. 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 they have so made known their intention.

Accommodation to be procured for

11. Before displacing any person belonging to the labouring classes who may for the time being be the occupier of any house or

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persons of labouring classes to be displaced.

part of a house which the Company are by this Act authorised to acquire the Company shall (unless they and such person otherwise agree) procure sufficient accommodation elsewhere for such person: Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice And the Company may for the purpose of providing such accommodation appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase lands by agreement and may on any such lands erect labouring-class dwellings and may let or otherwise dispose of such dwellings when erected.

Period for completion of works.

12. If the railway and road by this Act authorised and described on the deposited plans are 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 same respectively or otherwise in relation thereto shall cease to be exercised except as to so much thereof as is then completed.

Penalty imposed unless the line is opened within the time limited.

13. If the Company fail within the period limited by this Act to complete the railway the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the railway is completed and opened for the public conveyance of passengers or until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the works of the railway and the said penalty may be applied for by any landowner or other person claiming to be compensated in accordance with the provisions of the next following section of this Act or by the Solicitor of Her Majesty's Treasury and in the same manner as the penalty provided in section 3 of the Railway and Canal Traffic Act 1854 and every sum of money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice in England in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided but no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening such line by unforeseen accident or circumstances beyond their control provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

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Application of deposit.

14. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the "London Gazette" shall be applied towards compensating any landowners or other persons whose property has been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the 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 sum or sums of money so recovered by way of penalty as aforesaid has been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall 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 said 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.

Company may abandon part of authorised line.

15. The Company shall abandon the construction of so much of the Rickmansworth Extension Railway authorised by the Act of 1880 as lies between the respective points of junction therewith of the railway by this Act authorised.

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

16. 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 has been

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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 the Act of 1880.

Compensation to be made in respect of portion of railway abandoned.

17. 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 portion of the railway authorised to be abandoned by this Act and which is not required for the purposes of 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 manner provided by the Lands Clauses Consolidation Act 1845 as amended by any subsequent Act for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Railway to form part of Rickmansworth Extension Railway.

18. The railway by this Act authorised shall with respect to tolls and in all other respects be deemed part of the undertaking of the Company authorised by the Act of 1880.

For the protection of the Hendon Union Rural Sanitary Authority.

19. In carrying into effect the powers by this Act authorised within the district of the Hendon Union Rural Sanitary Authority (in this section called "the sanitary authority") the following provisions for the protection and benefit of the sanitary authority shall have effect (that is to say):—

(A) Before interfering with or stopping up the road numbered on the deposited plans 8A in the parish of Pinner or any part thereof the Company shall construct a proper and sufficient metalled road or roads of not less than thirty-five feet clear in width throughout in substitution for and similar in all respects to so much of the said road as shall be interfered with or stopped up together with all necessary incidental works sufficient for preserving the connexion on both sides of the railway between the said road No. 8A and the road numbered 10A in the said parish;

(B) The roads numbered on the deposited plans 10A and 65A in the parish of Pinner shall be carried over the railway by means of bridges to be constructed of not less width between the parapets thereof than thirty-five feet clear measured on the square with parapets not less than five feet in height from the surface of such roads respectively and with proper kerbed foot-

ways to the bridges and footways to the approaches and the approaches and slopes to such bridges shall be properly protected by post and rail fencing to the satisfaction of the sanitary authority;

(c) The railway shall be carried over the road numbered on the deposited plans 76B in the parish of Pinner by means of a bridge with a clear headway of not less than fifteen feet and with a clear span throughout of not less than thirty-five feet measured on the square and the Company shall construct proper kerbed footways upon the said road 76B where it passes under the railway;

(d) Before stopping up the footpath numbered on the deposited plans 7 in the parish of Ruislip the Company shall construct and after construction shall for ever keep open for public use a footpath from the point where the said footpath numbered 7 is intended to be stopped up to the road numbered on the deposited plans 61 in the parish of Pinner in substitution for and of the same width and as convenient in all respects as the footpath No. 7 so to be stopped up as aforesaid and shall connect the said footpath with the said road No. 61 by means of proper and sufficient steps and handrails up the slopes to the said road No. 61;

(e) All works to be done by the Company under the powers of this Act in the district of the sanitary authority shall so far as they relate to any roads bridges footpaths or works referred to in this section be done constructed and for ever maintained except as regards road No. 8A in Pinner by the Company subject to plans sections designs and drawings to be submitted to and approved by the sanitary authority and to the reasonable satisfaction from time to time of the sanitary authority;

(f) The Company shall on demand pay to the sanitary authority the sum of seventy-five pounds on account of the costs incurred by the sanitary authority in reference to the Rickmansworth Extension Railway Act 1880 and this Act;

(g) Nothing in this Act shall take away alter prejudice or lessen any of the rights privileges powers or authorities of the sanitary authority;

(h) Any difference which may arise between the sanitary authority and the Company as to the true intent and meaning of any of the provisions of this Act relating to works to be executed and the powers to be exercised by the Company within the district of the sanitary authority or as to the mode of giving effect thereto shall be determined by an engineer or arbitrator to be appointed

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on the application of either party by the President for the time being of the Institute of Civil Engineers.

For protection of the trustees and committee of management of the Pinner parish schools.

20. For protection of the trustees and committtee of management for the time being of the parish schools of the parish of Pinner in the county of Middlesex (herein-after called "the managers") the following provisions shall have effect:

(A) The Company shall not erect lay down or construct any Railway shed or sidings or lines of rails upon so much of the lands numbered 72A 73A 73B 73C or 73D in the parish of Pinner as lie beyond a line drawn at a distance of thirty yards from the centre line as shown on the deposited plans from the road numbered 76C to the road numbered 72B on the said plans without the consent in writing of the managers;

(B) The Company shall from and after the passing of this Act for ever maintain the road numbered 72B and shall at all times and for all purposes keep open the same as a safe and sufficient access for the use of the managers and all persons frequenting the said parish schools;

(C) The Company may by agreement purchase and the managers may by agreement sell and convey to the Company at any time after the passing of this Act the site upon which the said parish schools are situate together with the said schools and the appurtenances thereto and all rights of way or other rights connected therewith and the receipt of the managers or any two of them for any purchase money or consideration payable upon any such purchase and sale shall be a sufficient discharge to the Company and all purchase money received by the managers under this provision shall be applied by them in or towards the purchase of a new site and the construction of new schools as substitution for the said schools or in such other manner as the Board of Education may direct;

(D) The Company shall make good any damage which they shall at any time before or after the passing of this Act have done or do to the sewer of the managers passing under the said road 72B.

For the protection of main roads in the county of Hertford.

21. The Company shall execute the works by this Act authorised so far as they relate to the diversion of road No. 39 on the deposited plans and known as Chorley Wood Lane and so far as they affect any road which the inhabitants of the county of Hertford are bound to maintain or to contribute to maintain or to repair subject to the following conditions namely :—

The Company shall not commence nor execute any such works as aforesaid unless and until they have first delivered to the

surveyor of the county of Hertford plans drawings and specifications of the works intended to be executed nor until the same plans drawings and specifications shall have been examined and approved of by the said surveyor by writing under his hand Provided always that if the said surveyor shall fail to approve of the plans for one month after the plans drawings and specifications have been delivered to him then the Company shall not execute nor commence any such works as aforesaid unless and until plans drawings and specifications thereof shall have been examined and approved of by an engineer to be appointed by the Board of Trade on the application of the Company;

The Company shall execute all such works as aforesaid at their sole expense and under the superintendence and to the reasonable satisfaction of the said surveyor whose proper and reasonable charges incident to the approval of the said plans drawings and specifications and to the superintendence of the works shall be paid by the Company;

The Company shall also in addition to the diversion as aforesaid of the road No. 39 on the said plan so deposited as aforesaid and at the like expense and under the like superintendence;

1. Make and form on one side of the said road so to be diverted as aforesaid a footpath not less than five feet wide with stone kerb;
2. Make proper and sufficient catch-pits for receiving surface water and drains for carrying off the water;
3. Make and construct and for ever afterwards maintain and keep in repair a wooden rail fence not less than four feet high on both sides of the road when so diverted as aforesaid.

Any difference which may arise between the Company and the justices of the peace for the county of Hertford as to the true intent and meaning of any of the provisions of this section relating to the works to be executed and the powers to be exercised by the Company in the diversion of Chorley Wood Lane aforesaid or as to the mode of giving effect thereto and also as to the reasonableness of the charges demanded by the surveyor of the county shall be determined by an engineer or arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers.

As to maintenance &c. of road.

22. The road by this Act authorised shall be maintained and kept in repair by the Company for a period of one year from the completion thereof and after the expiration of such one year shall

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for all purposes of management maintenance and repair be deemed part of Chorley Wood Lane and after the opening of the said road for public traffic so much of Chorley Wood Lane as lies between the respective points of junction therewith of the said road shall be stopped up and all rights of way over the same shall cease and if and when the Company have become the owners of the lands on both sides of the part so stopped up or of any portion thereof the fee simple and inheritance of the part so stopped up or (as the case may be) of the portion whereof the Company have become the owners of the lands on both sides shall be absolutely vested in the Company and they may appropriate the same to the purposes of their undertaking.

For the protection of the vestry of Saint Pancras.

23. For the protection of the vestry of the parish of Saint Pancras (in this section called "the vestry") the following provisions shall have effect (that is to say) :—

(1.) In and for the purposes of this section "the parish" means the parish of Saint Pancras in the county of Middlesex ;

"Sewer" includes a drain and a culvert for the carrying off of surface water ;

"The surveyor" means the chief surveyor for the time being of the vestry ;

(2.) Whenever in the construction of any of the works by this Act authorised or by reason of the execution of any of the powers of this Act it may at any time be necessary to divert alter or interfere with any sewers under the control and management of the vestry every such diversion alteration or interference and all works connected therewith or auxiliary thereto shall be executed by the Company according to such plan and in such manner as may from time to time be reasonably prescribed or approved by the vestry and to the reasonable satisfaction of the surveyor ;

(3.) Before the Company execute any work or do anything whereby the flow of sewage in any sewer may be interrupted or interfered with they shall provide to the reasonable satisfaction of the surveyor a substituted sewer and connect the same with some other sewer of the vestry ;

(4.) If by reason of the execution of any of the powers of this Act any increased length of sewers shall become necessary the same shall be provided and laid down by or at the expense of the Company according to such plan and in such manner as may be reasonably approved by the vestry ;

(5.) Nothing in this Act contained shall interfere with the powers of the vestry from time to time as they think fit to construct

sewers or to repair or inspect any sewer or to make connexions or communications therewith;

(6.) While the Company are possessed under the authority of this Act of any lands houses buildings or other property assessed or liable to be assessed to any district general or special rate and until any works to be constructed in the parish of Saint Pancras are so far completed as to be assessed or liable to be assessed to an amount equal to or greater than the aggregate of the gross rateable value of the said lands houses buildings and property in the last rate made by the vestry before the passing of this Act the Company shall be liable to make good the deficiency in the assessments by reason of such lands houses buildings or other property being taken or used by them And the deficiency shall be computed according to the rental at which such lands houses buildings and other property are now rated in the said last rate;

(7.) If any difference arise between the Company and the vestry in relation to this section such difference shall be from time to time determined by arbitration in the manner (unless otherwise agreed on) provided by the Railways Clauses Consolidation Act 1845 with respect to the settlement of disputes by arbitration.

For protection of the Gaslight and Coke Company.

24. For the protection of the Gaslight and Coke Company (hereinafter referred to as "the Gas Company") the following provisions shall have effect (that is to say):—

(1.) Whereas in execution of the works by this Act authorised the mains pipes syphons and other works belonging to the Gas Company may be intersected or otherwise interfered with and it is expedient that the Gas Company should have full control over the execution of all works in any way affecting the supply by them of gas so as effectually to provide against the supply thereof being impeded Therefore all works matters or things which under the provisions of the Railways Clauses Consolidation Act 1845 or this Act the Company may be empowered or required to do or execute with reference to the mains pipes syphons or other works of the Gas Company shall be done and executed by and at the cost of the Company but to the reasonable satisfaction and under the direction of and in such manner as shall be required by the engineer for the time being of the Gas Company and such works matters or other things shall not be commenced until after fourteen days previous notice thereof in writing shall have been given to the Gas Company:

Provided always that if the Gas Company shall elect themselves to execute any portion of the works matters and things which the

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Company may by this Act be empowered or required to do or exercise with reference to or affecting the mains pipes syphons apparatus or other works of the Gas Company and of such their election shall give seven days notice in writing to the Company of their intention so to do by leaving the same at their head office in London the Gas Company may themselves execute that portion of the said works matters and things and the expense of and incident to the executing the same shall be repaid by the Company to the Gas Company on demand and such expense may be recovered from the Company in any court of competent jurisdiction.

(2.) And whereas there are divers mains pipes syphons and other apparatus belonging to the Gas Company in divers streets highways roads footpaths lanes courts passages and other places within the limits shown on the deposited plans which are now used by the Gas Company for supplying gas to the streets highways roads footpaths lanes courts passages and other places as aforesaid and such streets or other places or some of them will or may be done away with under the powers of this Act Therefore when the Company for any purposes of this Act take any of those mains pipes syphons or other apparatus they shall pay to the Gas Company the value thereof and the same shall thereupon become the property of the Company and the Company shall also pay to the Gas Company their reasonable charges of renewing or altering any of the mains pipes syphons or other apparatus in immediate communication therewith which the works of the Company shall render useless or which shall require to be altered;

(3.) If any interruption whatever in the supply of gas by the Gas Company or any loss of gas shall be in any way occasioned to or sustained by any act or omission of the Company or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Company shall forfeit and pay to the Gas Company for such interruption for the use and benefit of the Gas Company the sum of ten pounds for every hour during which such interruption shall continue and in addition shall pay to the Gas Company the value of the gas so lost such a sum or sums of money to be recovered by the Gas Company in any court of competent jurisdiction If the Company shall find it necessary to undermine let but not otherwise alter the position of any main pipe syphon or other works belonging to the Gas Company they shall temporarily support the same in its position during the execution of their works and on their completion shall provide a good and suitable foundation for every main pipe syphon or other work so undermined;

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(4.) It shall be lawful for the Gas Company and their engineeer workmen and others in their employment at all times when it may be necessary to enter upon the railway lands and premises of the Company for the purpose of repairing maintaining or removing or replacing such mains or pipes which may have been laid over the same railway lands and premises Provided always that in so doing the Gas Company shall not interrupt the traffic passing on the railway in any manner Provided also that the expense of all repairs or renewals of the said pipes or mains or any works in connexion therewith which may at any time hereafter be rendered necessary by the acts or defaults of the Company their contractors agents workmen or servants or any person in the employ of them or any or either of them shall be borne and paid by the Company and may be recovered against them by the Gas Company in any court of competent jurisdiction;

(5.) Notwithstanding anything in this Act contained the Company shall be responsible for and make good to the Gas Company all costs losses damages and expenses which may be occasioned to the Gas Company or to any of their mains pipes syphons apparatus property works and conveniences or in the supply of gas by the Gas Company or otherwise by reason of the execution or failure of any of the intended works or of any act or omission of the Company or of any of their contractors agents workmen or servants or of any of the persons in their employ or in the employ of their contractors or others And the Company will effectually indemnify and hold harmless the Gas Company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission;

(6.) Any difference arising between the Company and the Gas Company respecting any of the matters referred to in this enactment shall be settled at the request of either party by an engineer to be appointed by the President for the time being of the Institution of Civil Engineers.

Extending time for purchase of land.

25. The time limited by the Aylesbury and Rickmansworth Railway Act 1881 for the compulsory purchase and taking of lands and the time limited by the Metropolitan Railway Act 1881 for the compulsory purchase and taking by the Company and by the Company and the Great Western Company or either of them of the lands referred to in section 8 of that Act are hereby extended and those powers shall continue in force until the eighteenth day of July one thousand eight hundred and eighty-five so far as relates

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to the lands authorised to be purchased or taken under the powers of the Aylesbury and Rickmansworth Railway Act 1881 and until the third day of June one thousand eight hundred and eighty-six so far as relates to the lands authorised to be purchased or taken under the powers contained in section 8 of the Metropolitan Railway Act 1881.

Extension of time for making certain railway.

26. The period limited by the Aylesbury and Rickmansworth Railway Act 1881 for the completion of the railway and works thereby authorised is by this Act extended until the eighteenth day of July one thousand eight hundred and eighty-seven.

Amending Act of 1877 as to land coloured blue on plan referred to in section 24 thereof.

27. Notwithstanding anything contained to the contrary in section 24 of the Act of 1877 the Company may sell let or otherwise dispose of or deal with the land coloured blue on the plan referred to in that section or any part or parts thereof or any buildings thereon in like manner as they are empowered by the said section to sell let or otherwise dispose of or deal with any land or buildings not coloured blue or pink on the said plan and section 25 of the said Act is hereby repealed.

Railway No. 2 to be made by the Company and form part of their undertaking.

28. Notwithstanding anything contained in the Act of 1879 to the contrary Railway No. 2 therein authorised to be made by the Company and the District Company jointly is hereby vested in the Company solely and the said railway shall as regards tolls rates and charges and in all other respects form part of the undertaking of the Company and so far as relates to that railway the Company shall have and may exercise all the powers rights and authorities with respect to the purchase of lands and buildings the making of contracts or otherwise which by the Act of 1879 were conferred upon the said two companies or either of them or the joint committee and the Company shall be subject to all the restrictions and liabilities by the Act of 1879 imposed upon the two companies or either of them or the joint committee whether for the protection of landowners or other persons and all lands or buildings purchased and works executed by the joint committee for the purposes of the said railway shall vest in the Company and all notices given or contracts entered into by to or with the joint committee relating to lands or works or otherwise with respect to the said railway shall be deemed to have been given or entered into by to or with the Company and shall be dealt with and acted upon accordingly and all purchases made notices given and contracts entered into by to or with the Company only with respect to Railway No. 2 prior to the passing of this Act shall be as good valid and effectual for all intents and purposes as if the same had been made given or entered into by to

or with the two companies jointly or the joint committee Provided always that the Company shall pay to the joint committee any outlay made and incurred by them upon and in connexion with all lands and buildings purchased and works executed by the joint committee for the purposes of the said Railway No. 2 and compensations paid for and in connexion therewith with all costs charges and interest at the rate of four pounds ten shillings per centum per annum upon such outlay Provided also that the powers by this section vested in the Company with regard to the said Railway No. 2 shall except with the consent of the joint committee be used only for the purpose of constructing two lines of railway forming a continuous communication between Railway No. 4 authorised by the Act of 1879 and the railway of the Company Provided also that no alteration in the works now being constructed for the purposes of the Railway No. 3 also authorised by the said Act of 1879 and of the said Railway No. 4 shall be made without the consent of the joint committee and that the entire management and control of the signals at the point of junction of Railways Nos. 2 and 3 respectively with Railway No. 4 and other works and conveniences for the working of the traffic passing between the said Railway No. 4 and the said Railways No. 2 and No. 3 respectively shall be and remain with the joint committee.

Provision for conversion of four and a half four and a quarter and four per cent. debenture stock.

29. The directors of the Company may with the consent of any proprietor of four and a half per centum debenture stock or of four and a quarter per centum debenture stock or of four per centum debenture stock of the Company as specified in the schedule to this Act or of any stock in any two or one of those classes of debenture stock (herein-after referred to as "existing debenture stock") convert the debenture stock with respect to which such consent has been given into debenture stock bearing interest at the rate of three and a half per cent. per annum which they are hereby authorised to create for the purpose in addition to and as part of the three and a half per centum debenture stock specified in the said schedule and every such holder of existing debenture stock shall have registered in his name such a nominal amount of three and a half per centum debenture stock as will yield to him an amount equal to but not greater than the amount of interest yielded to him by his existing debenture stock in lieu of which the three and a half per centum debenture stock may be substituted And the existing debenture stock for which it is substituted shall be cancelled and the Company shall not be deemed to have exceeded their borrowing powers by the creation of the additional amount of three and a half per centum debenture stock required to give effect to the said conversion Pro-

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vided always that the Company shall not be bound to register fractions of a pound of such three and a half per centum debenture stock but may pay to the registered holder thereof such fractional part of a pound as but for this proviso he would have been entitled to have registered in his name in order to secure equality of exchange.

New certificates to be issued in exchange for old certificates.

30. The directors upon such conversion taking effect shall forthwith issue to every holder of the existing debenture stock so converted a certificate for and representing such an amount of the three and a half per centum debenture stock as such holder is entitled to under the foregoing provision Provided always that until the issue of such new certificates the present certificates of existing debenture stock and the holders thereof shall bear and possess the same rights and advantages as they would have had and possessed if this Act had not passed Provided also that the directors shall not issue any new certificate unless and until the existing certificate in substitution for which it is issued is given up to be cancelled or is proved to the satisfaction of the directors to have been lost or destroyed and the certificates so delivered up shall be cancelled.

Substituted debentures to be held on same trusts.

31. The debenture stock which under the powers of this Act may be created and issued in exchange for existing debenture stock shall remain and be vested in the person or persons to whom it is issued upon the same trusts and subject to the same powers provisions declarations agreements charges liens and incumbrances as at the time of the issue thereof affect the stock in substitution for which the three and a half per centum debenture stock is issued and so as to give effect to and not revoke any testamentary or other disposition of or affecting the same and the bequest of any specific amount of existing debenture stock shall be held to apply to the equivalent amount of three and a half per centum debenture stock and trustees executors or administrators and other incapacitated persons may consent to the conversion and accept such three and a half per centum debenture stock in substitution or exchange for the existing debenture stock theretofore held by them and may retain dispose of or otherwise deal with the same in all respects as they might have retained disposed of or otherwise dealt with the existing debenture stock for which it is substituted.

Company may apply their funds and may raise additional capital.

32. It shall be lawful for the Company to apply towards the purposes of this Act any of the moneys which they are already authorised to raise and which may not be required by them for the purposes for which the same were authorised to be raised and the Company may from time to time subject to the provisions of

Part II. of the Companies Clauses Act 1863 raise in addition to the sums of money which they are already authorised to raise any further capital not exceeding in the whole one hundred thousand pounds by the creation and issue at their option of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively which shares or stock shall form part of the general capital of the Company.

Shares not to vest until one-fifth part paid up.

33. The Company shall not issue any share created under the authority of this Act nor shall any such share vest in the person accepting the same unless and until a sum not being less than one-fifth of the amount of such share shall have been paid in respect thereof.

Calls.

34. Twenty per centum on the amount of any share to be issued by the Company under the authority of this Act shall be the largest amount of any call which may be made thereon and there shall be an interval of not less than three months between any two successive calls and the Company shall not call up more than three-fourths of a share in any year.

As to the votes of proprietors of shares or stock.

35. The proprietors of any ordinary shares or stock to be issued by the Company under the authority of this Act shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares or stock would have entitled them to if the same had been shares or stock in any of the issues of ordinary stock of the Company and the proprietors of any preference shares or stock to be issued by the Company under the authority of this Act shall be entitled to such number of votes in respect thereof as the nominal amount represented by such shares or stock would have entitled them to if the same had been preference shares or stock in any of the classes of preference shares or stock of the Company and every proprietor of shares or stock in any two or more of the said classes of preference stock shall be entitled to such number of votes in respect thereof as he would be entitled to if all the said shares or stock were of one and the same class of preference stock.

New shares or stock raised under this Act and any other Act may be of same class.

36. Subject to the provisions of any Act already passed by which the Company are authorised to raise capital by new shares or stock and to the provisions of this Act the Company may if they think fit raise by the creation and issue of new shares or stock of one and the same class all or any part of the aggregate capital which they are by such other Act and this Act respectively authorised to raise by the creation and issue of new shares or stock.

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Receipt clause in case of persons not sui juris.

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

Application of moneys.

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

Interest not to be paid on calls paid up.

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

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

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

Provision as to general Railway Acts.

41. Nothing in this Act contained shall exempt the railway or the Company from the provisions of any general Act relating to railways or the better or 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 of the rates for small parcels.

Costs of Act.

42. 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.

THE SCHEDULE.

Statement of Borrowing Powers of the Company.

Acts by which Powers granted.	Amount authorised to be Borrowed.	Date of Authority to exercise Power.	Amount authorised to be Raised.
	£		£
22 & 23 Vict. cap. 97—Metropolitan Railway Act 1859	283,333	27 Feb. 1861	283,333
24 & 25 Vict. cap. 133—Metropolitan Railway Act 1861	100,000		
24 & 25 Vict. cap. 233—Metropolitan Railway (Finsbury Circus Extension) Act 1861	166,000	24 Feb. 1864	266,000
27 & 28 Vict. cap. 260—Metropolitan Railway (Additional Powers) Act 1864	150,000	8 Feb. 1865	150,000
27 & 28 Vict. cap. 291—Metropolitan Railway (Notting Hill and Brompton Extension) Act 1864	400,000	7 Feb. 1865	400,000
27 & 28 Vict. cap. 315—Metropolitan Railway (Tower Hill Extension) Act 1864.	233,000	7 Feb. 1866	233,000
29 & 30 Vict. cap. 160—Metropolitan Railway (Additional Powers) Act 1866	333,000	5 Feb. 5 Aug. 1868	333,000
30 Vict. cap. 85—Metropolitan Railway Act 1867	1,333	—	1,333
32 & 33 Vict. cap. 136—Metropolitan Railway Act 1869	200,000	10 Aug. 1870	200,000
34 & 35 Vict. cap. 183—Great Western Railway (Various Powers) Act 1871	40,000	28 Jan. 1876	40,000
35 & 36 Vict. cap. 58—Metropolitan Railway Act 1872	83,000	1 Feb. 1873	83,000
36 & 37 Vict. cap. 181—Metropolitan Railway Act 1873	166,000	22 Jan. 1874	166,000
37 & 38 Vict. cap. 51—Metropolitan Railway Act 1874	440,000	31 July 1874	440,000
40 & 41 Vict. cap. 85—Metropolitan Railway Act 1877	50,000	8 May 1878	50,000
41 & 42 Vict. cap. 183—Metropolitan Railway Act 1878	50,000	16 Jan. 1879	50,000
42 & 43 Vict. cap. 201—Metropolitan and District Railways (City Lines and Extensions) Act 1879	400,000	18 Jan. 1881	483,300
43 & 44 Vict. cap. 166—Metropolitan Railway Act 1880	83,300		
45 & 46 Vict. cap. 94—Metropolitan Railway Act 1882.	160,000	21 July 1882	160,000
	3,338,966		3,338,966
Deduct Debenture powers extinguished under 36 & 37 Vict. cap. 181 and 37 & 38 Vict. cap. 51	154,431		154,431
	3,184,535		3,184,535

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Of the said sum of £3,184,535—	£
Remains to be raised the sum of - - - -	200,241
Raised by mortgages still outstanding - - -	43,975
Raised by mortgages and converted into debenture stock or by issue of debenture stock as under - -	2,940,319
	£3,184,535

DEBENTURE STOCKS.

	£
Bearing interest at 4½ per cent. - - - -	358,263
" " 4¼ " - - - -	52,745
" " 4 " - - - -	2,293,311
" " 3½ " - - - -	236,000
	£2,940,319

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