

[53 & 54 VICT.]

*Regent's Canal City and Docks
Railway (Extension of Time &c.) Act, 1890.*

[Ch. cc.]



CHAPTER cc.

An Act to revive the powers and further extend the time
for the compulsory purchase of lands for and to further
extend the time for the completion of the works authorised
by the Regent's Canal City and Docks Railway Act 1882
and for other purposes. A.D. 1890.
[14th August 1890.]

WHEREAS by the Regent's Canal City and Docks Railway Act 1882 (in this Act called "the Act of 1882") the Regent's Canal City and Docks Railway Company (in this Act called "the Company") were incorporated with a share capital of eight million one hundred thousand pounds and power to borrow (in addition to the sum which the Company might for the time being have power to borrow under the Acts of the Company of Proprietors of the Regent's Canal in the Act of 1882 and in this Act called "the Canal Company") any sum or sums not exceeding in the whole two million three hundred and ninety thousand pounds and provision was made for the sale and transfer to the Company of the undertaking of the Canal Company with power to the Company to constitute their canal undertaking and the capital for the same a separate undertaking and capital and the Company was authorised and empowered to make and maintain various railways and canal and other works:

And whereas in consequence of the magnitude of the works to be executed by the Company the periods for the compulsory purchase of lands for and for the completion of the said works were by the Act of 1882 declared to be five years and six years respectively from the passing of that Act which received the Royal Assent on the eighteenth day of August one thousand eight hundred and eighty-two:

And whereas by the Regent's Canal City and Docks Railway (Various Powers) Act 1883 (in this Act called "the Various Powers Act of 1883") the Company were empowered before creating any part of the capital authorised by the Act of 1882 (other than the canal capital if that capital should be created as a separate capital)

A.D. 1890. — to constitute the Railways Nos. 3 3A 3B 3C 3D 3E and 6 authorised by the Act of 1882 or some of them or some part or parts thereof respectively a separate undertaking of the Company (in the Various Powers Act of 1883 and in this Act referred to as "the City Lines undertaking") and to create the capital necessary for the purposes of that undertaking not exceeding in the whole two million five hundred thousand pounds a separate capital of the Company :

And whereas by the Regent's Canal City and Docks Railway (Canal Capital) Act 1883 it was enacted that of the capital of eight million one hundred thousand pounds authorised by the Act of 1882 one million five hundred thousand pounds should be deemed to be the capital of the canal undertaking of the Company and was thereby constituted a separate capital of the Company the same to be issued either as shares or stock and it was also enacted that of the sum of two million three hundred and ninety thousand pounds which by the Act of 1882 the Company were empowered to borrow on mortgage the Company might at any time after the passing of that Act borrow on mortgage of the canal undertaking (in addition to the sum which the Company might for the time being have power to borrow under the Canal Company's Acts) any sum or sums not exceeding in the whole one hundred and fifteen thousand pounds and also such further sum or sums not exceeding seventy-five thousand pounds (and making with the said sum of one hundred and fifteen thousand pounds the total sum of one hundred and ninety thousand pounds) as might be authorised by a resolution passed at a general meeting specially summoned for such purpose of the holders for the time being of the canal capital :

And whereas the purchase of the Canal Company's undertaking has been duly completed by the Company and they have issued for the purposes of that undertaking canal capital to the amount of one million two hundred and seventy-five thousand pounds :

And whereas by the Regent's Canal City and Docks Railway Act 1885 the Company were authorised to declare the railways authorised by the Act of 1882 (other than those included in the City Lines undertaking) or some part or parts thereof to be a separate undertaking or separate undertakings with separate capitals and the Company were authorised to pay interest or dividends upon the amount paid up from time to time in respect of shares or stock in their capital and for that purpose to raise new ordinary share or stock not exceeding in the whole six hundred and sixty thousand pounds :

And whereas by the Regent's Canal City and Docks Railway (Extension of Time) Act 1887 (in this Act called "the Act of 1887") the period limited by the Act of 1882 for the compulsory purchase of lands for the purposes of that Act was extended—

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(A.) As regards lands required for the purposes of the City Lines undertaking until the eighteenth day of August one thousand eight hundred and ninety; and

(B.) As regards lands required for any other purposes of the Company's undertaking until the eighteenth day of August one thousand eight hundred and eighty-nine:

And the period limited by the Act of 1882 for the completion of works authorised by that Act was extended until the eighteenth day of August one thousand eight hundred and ninety-two:

And whereas the powers of the Company for the compulsory purchase of lands for the purposes of the works (other than the City Lines undertaking) authorised by the Act of 1882 have expired and it is expedient that such powers be revived and extended and that the period limited by the Act of 1887 for the compulsory purchase of lands for the purposes of the City Lines undertaking be further extended in manner hereinafter provided:

And whereas it is expedient that the period limited by the Act of 1887 for the completion of the railways and other works authorised by the Act of 1882 be further extended as hereinafter provided:

And whereas the Company have as yet been unable to raise any portion of their authorised capital (other than the canal capital) and it is expedient in order to facilitate the raising of such capital that the Company be empowered to attach preferential dividends to parts of their capital and to make payments by way of commission for the underwriting of or the procuring of subscriptions for any portion of such capital:

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 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:—

1. This Act may be cited as the Regent's Canal City and Docks Railway (Extension of Time &c.) Act 1890. Short title.

2. The clauses and provisions of Part II. (relating to extension of time) of the Railways Clauses Act 1863 are (except where

Incorporation of Act.

A.D. 1890. expressly varied by this Act) incorporated with and form part of this Act.

Reviving powers and extending time for compulsory purchase of lands for works (other than the city lines undertaking) authorised by Act of 1882.

3. The powers of the Company for the compulsory purchase of lands for the purposes of the works (other than the City Lines undertaking) authorised by the Act of 1882 are by this Act revived and may be exercised within but shall not be exercised after the expiration of two years from the eighteenth day of August one thousand eight hundred and ninety.

Extending period limited by Act of 1887 for purchase of lands for City Lines undertaking.

4. The period limited by the Act of 1887 for the compulsory purchase of lands for the purposes of the City Lines undertaking authorised by the Act of 1882 is hereby extended and may be exercised at any time within but shall not be exercised after the expiration of three years from the eighteenth day of August one thousand eight hundred and ninety.

Extending period limited by Act of 1887 for completion of works.

5. The period limited by the Act of 1887 for the completion of the works authorised by the Act of 1882 is hereby extended for a period of four years from the eighteenth day of August one thousand eight hundred and ninety-two and that period shall for all purposes be deemed to be the period originally limited for the construction of the same.

If authorised works not completed within extended time powers to cease.

6. If the works authorised by the Act of 1882 are not completed within the period limited by this Act then on the expiration of such period the powers by the Act of 1882 the Act of 1887 and this Act granted to the Company for making and completing the same or otherwise in relation thereto shall cease except as to so much thereof respectively as shall then be completed.

Confirming Crown agreement.

7. The agreement set forth in the First Schedule to this Act varying the Crown agreement scheduled to and confirmed by the Act of 1882 and the Crown agreement scheduled to and confirmed by the Act of 1883 and the Crown agreement scheduled to and confirmed by the Act of 1887 is hereby confirmed and shall be binding on the Company and valid as between the Commissioners of Woods and the Company and the period for payment of the purchase moneys under the said Crown agreements scheduled to the Acts of 1882 and 1883 and 1887 respectively shall be varied accordingly and the consideration to be paid by the Company under the agreement set forth in the First Schedule to this Act shall be paid and applied in the like manner as that in which by section 85 of the Act of 1882 the consideration to be paid by the Company under the Crown agreement scheduled to that Act was directed to be paid and applied.

8. The vestry of St. Pancras may without any consent of the Company whether required by section 72 of the Metropolis Management Act 1862 or otherwise forthwith reconstruct the bridge which carries King's Road over the canal in accordance with a plan signed by the engineer to the Company and the chief surveyor of the vestry and the Company shall free of cost forthwith convey to the vestry all such land belonging to the Company and afford the vestry all such facilities as shall be requisite for the purpose of such reconstruction and shall on the completion thereof repay to the vestry the cost of and incident thereto in excess of the sum of six thousand pounds out of the first capital raised for the purpose of the railway undertaking. If any difference arises between the Company and the said vestry touching anything to be done or not to be done under this section such difference shall be determined by an engineer to be appointed by the Board of Trade (unless agreed on between the Company and the vestry) on the application of either of the parties in difference and the costs of the determination of such difference shall be borne as he shall direct.

A.D. 1890.
 For the
 protection of
 the vestry of
 St. Pancras.

9. For the protection of the School Board for London (in this section called "the School Board") the following provisions shall have effect:—

For pro-
 tection of
 the School
 Board.

- (1.) Nothing herein contained shall affect or diminish the rights of the School Board under the agreement scheduled to the Act of 1882 and the agreement of July 1885 a copy whereof is set forth in the Second Schedule to this Act but the same are hereby expressly confirmed and continued and full effect shall be given thereto so that the School Board shall not be financially damaged by the delay:
- (2.) It shall be decided by an arbitrator agreed upon or appointed by the Board of Trade on the application of either party what amount (if any) shall be paid to the School Board by way of compensation for pecuniary losses not provided for in the said agreements and being consequent on delays which have occurred owing to the non-completion of the works within the time specified in the Act of 1882:
- (3.) The Company before taking under their compulsory powers any school of the School Board or any land belonging to the School Board and adjoining any school of the School Board shall give the earliest possible notice of their intention such notice to be of not less than six months.

10. For the protection of the mayor aldermen and burgesses of the borough of West Ham (in this section referred to as "the

For the
 protection of
 West Ham
 Corporation.

A.D. 1890. Corporation") the following provisions shall unless otherwise agreed between the Company and the Corporation have effect :—

- (1.) Anything contained in the Act of 1882 or in any Act incorporated therewith to the contrary notwithstanding the arches carrying any railway by the Act of 1882 authorised over Marsh Gate Lane or Lilliput Road respectively in the borough of West Ham (in this section referred to as "the borough") shall be respectively of forty feet span measured at right angles to the course of the roadway crossed and giving a clear headway above the surface of the roadway of sixteen feet throughout such span :
- (2.) Every railway by the Act of 1882 authorised which shall within the borough cross any road constructed after the passing of that Act (whether constructed before or after the passing of this Act) shall be carried over such road by means of a bridge having a forty feet span measured at right angles to the course of the roadway crossed between the abutments of such bridge and giving a clear headway above the surface of the roadway of sixteen feet throughout such span :
- (3.) No part of any abutment column or pier of any such bridge shall without the consent of the Corporation under seal excepting as regards the southern abutment or pier of the bridge over Victoria Dock Road formerly called Lilliput Road project into or upon any part of a road or footpath within the borough and the Company shall in the construction of any such bridge if required by the Corporation set back the abutments or piers thereof to the building line of existing houses adjacent thereto in any such road Provided that the Company shall have power in any event to place columns for the support of their bridge on the edges of the forecourts (if any) nearest such road or footpath :
- (4.) The Company shall from and after the period when any lands houses buildings hereditaments or premises shall be taken or become unoccupied or untenanted by reason of the same being required for the purposes of the works authorised by the Act of 1882 by notice from the Company up to the period when the said works shall be assessed to poor and other rates in the borough and the district of the borough be assessed and rated for the same premises respectively in such sum and sums of money as the same were assessed and rated at the time of the passing of this Act and the Company shall pay and make good to and in aid of the borough and

the district of the borough out of the moneys of the Company all such rates as aforesaid and in default of payment thereof the same shall and may be levied and recovered from the Company in the same way or manner as the same could or might have been recovered from the owners or occupiers of the same premises in case the Act of 1882 the Act of 1887 and this Act respectively had not been passed: A.D. 1890.

- (5.) Whereas under or by virtue of the West Ham Corporation (Improvements) Act 1888 (in this section called "the West Ham Act") on and from the first day of January one thousand eight hundred and ninety all jurisdiction of the Commissioners of Sewers for the levels of Havering Dagenham Ripple Barking East Ham West Ham Leyton and Walthamstow in the respective counties of Essex Middlesex and Kent (in this section called "the Commissioners") within the West Ham Level ceased and all the rights powers authorities and privileges of or exerciseable or enjoyed by the Commissioners within that level whether under Charter Commission Letters Patent Act of Parliament Decree Ordinance or otherwise howsoever were subject to the provisions of the West Ham Act transferred to the Corporation and all duties imposed upon the Commissioners with respect to and all rights powers and property of the Commissioners in and over any river stream watercourse or any sewer ditch bank river wall bridge hatch dam floodgate lock or other work situate within the said level subject to the provisions of the West Ham Act devolved upon and became dischargeable by and were vested in the Corporation Therefore anything contained in the Act of 1882 or in any Act incorporated therewith to the contrary notwithstanding where any of the works to be done by the Company under or by virtue of the Act of 1882 or this Act shall or may pass over under or by the side of or so as to interfere with any river sewer drain watercourse river wall defence or work by virtue of the provisions of Part III of the West Ham Act under the jurisdiction or control of the Corporation or may in any way affect the drainage of the West Ham Level the Company shall not commence such works until they shall have given to the Corporation fourteen days' notice in writing of their intention to commence the same by leaving such notice at the office of the town clerk of the Corporation with plans elevations sections and other necessary particulars of the construction of the said works and until the Corporation shall have signified their

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approval of the same unless the Corporation fail to signify such approval or their disapproval or other directions within twenty-eight days after the service of the said notice and delivery of the said plans elevations sections and other particulars as aforesaid and the Company shall comply with and conform to all reasonable directions and regulations of the Corporation in the execution and subsequent maintenance of the said works and shall provide by new altered or substituted works in such manner as the Corporation may deem necessary for the proper protection of and for preventing injury or impediment to the rivers sewers drains river walls and other works hereinbefore referred to by or by reason of the said works by the Act of 1882 or this Act authorised or any part thereof and shall save harmless the Corporation against all and every the expense to be occasioned thereby and all such works shall be done under the superintendence and to the reasonable satisfaction of the engineer of the Corporation at the costs charges and expenses in all respects of the Company and all reasonable costs charges and expenses which the Corporation may be put to by reason of the works of the Company whether in execution of the works the preparation or examination of plans or designs superintendence or otherwise shall be paid to the Corporation by the Company on demand and when any new altered or substituted works as aforesaid or any works or defence connected therewith shall be completed by or at the costs charges or expenses of the Company under the provisions of this section the same shall ever thereafter be maintained by the Company to the reasonable satisfaction of the engineer of the Corporation for the time being and the said works shall be as fully and completely vested in and under the jurisdiction and control of the Corporation as any sewers or works now are or hereafter may be by virtue of the recited provisions of the West Ham Act and nothing in the Act of 1882 or this Act shall extend to prejudice diminish alter or take away any of the rights powers or authorities vested or to be vested in the Corporation by virtue of the said recited provisions but all such rights powers and authorities shall be as valid and effectual as if the Act of 1882 and this Act had not been passed :

Provided that if any dispute shall arise as to the plans or designs or the mode of executing any such works as aforesaid such matter or difference shall be referred to an arbitrator to be appointed by the Board of Trade whose decision shall be final.

11. (1.) The Company shall not under the powers of this Act or under the powers of any former Act revived or extended by this Act purchase or acquire in any parish in the Metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or in any other city borough or urban sanitary district or any parish or part of a parish not being within an urban sanitary district ten or more houses which after the passing of this Act have been or on the fifteenth day of December one thousand eight hundred and eighty-one were or have since been occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until the Company—

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Restrictions
on displacing
persons of
labouring
class.

(A.) Shall have obtained the approval in the case of the metropolis of the Secretary of State for the Home Department or in any other case of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December aforesaid or for such number of persons as the said Secretary of State or the Local Government Board (as the case may be) shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B.) Shall have given security to the satisfaction of the said Secretary of State or the Local Government Board (as the case may be) for the carrying out of the scheme:

(2.) The approval of the said Secretary of State or the Local Government Board (as the case may be) to any scheme under this section may be given either absolutely or conditionally and after the said Secretary of State or the Local Government Board (as the case may be) have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme:

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the said Secretary of State or the Local Government Board (as the case may be) may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit:

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(4.) Any provisions of any scheme under this section or any conditions subject to which the said Secretary of State or the Local Government Board (as the case may be) may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of mandamus to be obtained by the said Secretary of State or the Local Government Board (as the case may be) out of the High Court :

(5.) If the Company acquire or appropriate any house or houses for the purposes of the works authorised by the Act of 1882 in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the said Secretary of State or the Local Government Board (as the case may be) by action in the High Court and shall be carried to and form part of the consolidated fund of the United Kingdom :

Provided that the High Court may if it think fit reduce such penalty :

(6.) For the purpose of carrying out any scheme under this section the Company may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase sections 176 and 297 of the Public Health Act 1875 shall be incorporated with this Act and shall apply to the purchase of lands beyond the metropolis by the Company for the purposes of any scheme under this section in the same manner in all respects as if the Company were a local authority within the meaning of the Public Health Act 1875 and the scheme were one of the purposes of that Act :

(7.) The Company may on any lands belonging to them or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the general purposes of their undertaking :

Provided that all lands on which any buildings have been erected or provided by the Company in pursuance of any scheme under this

section shall for a period of twenty-five years from the passing of this Act be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment : A.D. 1890.

Provided also that the said Secretary of State or the Local Government Board (as the case may be) may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit :

(8.) All buildings erected or provided by the Company within the metropolis for the purpose of any scheme under this section shall be subject to the provisions of the Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts :

(9.) So much of section 157 of the Public Health Act 1875 as provides that the provisions of that section and of sections 155 and 156 of the same Act shall not apply to buildings belonging to any railway company and used for the purposes of such railway under any Act of Parliament shall not apply to buildings erected or provided by the Company for the purpose of any scheme under this section :

(10.) The said Secretary of State or the Local Government Board (as the case may be) may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875 :

(11.) The Company shall pay to the said Secretary of State any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a reasonable sum to be fixed by the said Secretary of State for the services of such inspector :

(12.) The Company shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector :

(13.) For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for

A.D. 1890. wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them :

Provided always that notwithstanding anything in this Act contained the provisions contained in section 146 of the Act of 1882 as modified by section 7 of the Act of 1887 and in section 7 of the Act of 1887 for the protection of the owner or owners of the St. John's Wood Estate shall continue in full force and those provisions shall extend to any land part of the said estate which the Company may acquire or be enabled to acquire under the powers of this Act :

Part of capital may be preferential.

12. The Company may from time to time attach a preferential dividend to any part (not exceeding in any case one-third) of the capital of their general undertaking or of the capital of any separate undertakings or undertaking of the Company (other than their canal capital) :

Provided always that no amount of preference capital in any undertaking shall be issued unless and until twice that amount of ordinary capital in that undertaking shall have been bonâ fide subscribed for and twenty per centum shall have been paid up on each share in that amount of ordinary capital and the Company have obtained the certificate of the Board of Trade to that effect.

Authorising payments by way of commission.

13. The Company may pay out of the capital of their general undertaking or of any separate undertaking as the case may be (other than their canal capital) by way of commission for the underwriting of or the procuring of subscriptions for any portion of any such capital any amount not exceeding five per centum of the nominal value of the capital so underwritten or subscribed for.

Applying provisions of Companies Clauses Act 1863 to preference shares under this Act.

14. The provisions of sections 13 14 and 15 of the Companies Clauses Act 1863 shall apply so far as applicable to any shares in any capital of the Company to which a preferential dividend may be attached as aforesaid.

Preference shares not to confer right of voting.

15. Unless or except so far as may be otherwise determined at the meeting at which a preferential dividend is attached to any shares in any capital of the Company preference shares shall not confer on the holders thereof any right of voting at meetings of the Company or of the shareholders in any undertaking of the Company.

16. The proviso to section 31 of the Act of 1882 which is in the A.D. 1890.
 following words and figures:—

“ Provided also that the Company shall not open for public
 “ traffic the Railway No. 3 hereby authorised until they shall
 “ have constructed and opened for traffic the said Railway
 “ No. 6 and have also constructed and opened for traffic the
 “ Railway No. 3B if the Great Northern Railway Company
 “ shall so in writing require the same and shall themselves
 “ have constructed the Railways Nos. 3c and 3d or one of them
 “ or some other convenient and sufficient junction with Railway
 “ No. 3B:”

Repealing
 proviso to
 section 31 of
 Act of 1882

is by this Act repealed.

17. 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 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 authorised by any Act relating to the Company.

Provision as
 to general
 railway Acts.

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

Costs of Act.

A.D. 1890.

The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

ARTICLES OF AGREEMENT made the fifth day of August one thousand eight hundred and ninety between the Queen's most Excellent Majesty of the first part Sir Robert Nigel Fitzhardinge Kingscote K.C.B. the Commissioner of Her Majesty's Woods Forests and Land Revenues in charge of the land revenues of the Crown in the county of Middlesex of the second part and the Regent's Canal City and Docks Railway Company (incorporated by the Regent's Canal City and Docks Railway Act 1882 and hereinafter called "the Company") of the third part supplemental to certain Articles of Agreement dated the sixth day of July one thousand eight hundred and eighty-two and made between the Queen's Majesty of the first part the Honourable Charles Alexander Gore of the second part and Sir George Henry Chambers William Rushton Adamson James Brand James Staats Forbes Albert George Sandeman Charles Gassiot William Hamilton Crake Colonel Ben Hay Martindale and Henry William Carter of the third part scheduled to and confirmed by the said Act of Parliament and hereinafter referred to as "the principal agreement" and also supplemental to certain Articles of Agreement dated the ninth day of May one thousand eight hundred and eighty-three and made between the Queen's Majesty of the first part the said Charles Alexander Gore of the second part and the Company of the third part scheduled to and confirmed by the Regent's Canal City and Docks Railway (Various Powers) Act 1883 and hereinafter referred to as "the supplemental agreement" and also supplemental to certain Articles of Agreement dated the twenty-third day of April one thousand eight hundred and eighty-seven and made between the Queen's most Excellent Majesty of the first part Robert Nigel Fitzhardinge Kingscote of the second part and the Company of the third part scheduled to and confirmed by the Regent's Canal City and Docks Railway (Extension of Time) Act 1887

and hereinafter referred to as "the Extension Agreement 1887" A.D. 1890.
Whereas the Company have applied to Parliament for an Act to revive the powers and further extend the time for the compulsory purchase of lands for and for the completion of the works authorised by the Act of 1882 and for other purposes Now these presents witness and the said Robert Nigel Fitzhardinge Kingscote as such Commissioner as aforesaid on behalf of Her Majesty doth hereby covenant with the Company and their successors and the Company do hereby for themselves and their successors covenant with the Queen's Majesty Her heirs and successors in manner following (that is to say) :—

1. This agreement (except the 4th clause hereof which shall be binding on the Company as therein provided in any event) shall not have any force or validity unless the said Act applied for as aforesaid with such alterations as may be sanctioned by Parliament become an Act of Parliament in the present session and such Act shall extend the period limited by the Act of 1887 for the compulsory purchase of lands.

2. Notwithstanding article 2 of the Extension Agreement 1887 before referred to that agreement shall not become void as provided by that article if the purchase moneys therein mentioned are not paid within the period therein referred to but if the purchase moneys as hereinafter mentioned shall not be paid on or before the eighteenth day of August one thousand eight hundred and ninety-two this agreement except the fourth clause hereof and also the principal agreement except clause 16 thereof and the Extension Agreement 1887 except clause 4 thereof shall become void upon that date so far as they relate to any premises not then taken possession of by the Company and the Company shall not thereafter be entitled to enter upon any further or other Crown lands.

3. Instead of the purchase moneys mentioned in the principal agreement and altered by the supplemental agreement and by the third clause of the Extension Agreement 1887 as agreed to be paid by the Company to the Commissioner or Commissioners of Her Majesty's Woods Forests and Land Revenues the Company shall pay as hereinafter mentioned to such Commissioner or Commissioners the sums following videlicet Before entering upon any part of the Regent's Park Estate the sum of fourteen thousand six hundred and sixty-six pounds and before entering upon any part of the Victoria Park Estate the sum of six thousand three hundred and eighty-nine pounds.

4. All charges and expenses which have been or which may be incurred by Her Majesty Her heirs and successors or the before-mentioned Commissioner or Commissioners (including the charges of any engineer architect or surveyor employed by her him or them) in relation to or consequent on the arrangements herein agreed to and including the office charges for the preparation and completion of this agreement shall be paid by the Company.

A.D. 1890.

5. This agreement so far as regards the engagements entered into by the said Robert Nigel Fitzhardinge Kingscote is subject to the approval of the Lords Commissioners of Her Majesty's Treasury.

In witness whereof the said Robert Nigel Fitzhardinge Kingscote has hereunto set his hand and seal and the Company have caused their common seal to be hereunto affixed the day and year first above written.

R. NIGEL F. KINGSCOTE.

Signed sealed and delivered by the
above-named Robert Nigel Fitzhardinge
Kingscote in the presence of
RIBBLESDALE
Gisburne
Clitheroe.

Woods
Forests and
L.S.
Land
Revenues.

The common seal of the above-named Regent's
Canal City and Docks Railway Company
was hereunto affixed in the presence of
FREDERICK COOLE
Secretary.

Common
Seal of the
Regent's Canal
City and Docks
Railway
Company.

SECOND SCHEDULE.

AN AGREEMENT made the twenty-seventh day of July one thousand eight hundred and eighty-five between the School Board for London hereinafter called "the Board" of the one part and the Regent's Canal City and Docks Railway Company (incorporated by the Regent's Canal City and Docks Railway Act 1882) hereinafter called "the Company" of the other part.

1. The Company within three months of raising any capital for purposes other than the canal undertaking of the Company or of the costs charges and expenses of and relating or incidental to the acquisition of the canal and the preparing for obtaining and passing of the Acts of 1882 1883 and 1885 of the Company to pay to the Board—

(A.) Interest at four per cent. on four thousand five hundred and sixty-seven pounds (being the money (including all costs and expenses) expended by the Board in purchasing the Parnell Road site) from the eighteenth day of August one thousand eight hundred and eighty-four to the date hereof:

(B.) All costs of and in connection with the agreement of the first day of August one thousand eight hundred and eighty-two between the Board and the Company the Board's opposition in Parliament of 1882 and 1885 and of and connected with this agreement.

A.D. 1890.

2. The Company also within a like period after raising any capital as mentioned in clause 1 hereof to pay to the Board ten thousand pounds on account of the twenty thousand pounds agreed to be paid by the agreement of the first day of August one thousand eight hundred and eighty-two and upon such payment being made the Board—

(A.) To give possession to the Company if and when so required by the Company of the portion of the Princess Terrace site coloured blue on the plan to the agreement of the first day of August one thousand eight hundred and eighty-two to the extent and for the purposes provided by the said agreement:

(B.) To give temporary possession of so much of the north-eastern end of the portion of the said site coloured green on the said plan as may be required by the Company for the purposes of temporary stables for the London and North-Western Railway Company as provided by section 102 sub-section (8) of the Act of 1882 the Board to obtain the assent of Messieurs Pickford and Company as far as they can give it to the making of an opening in the south-western wall of the stables occupied by them to enable the Company to make an entrance to such temporary stables and in case the Company are unable either by reason of the withholding of necessary consents or otherwise to make such entrance then the Board to give the Company temporary possession of so much of the south-western end of the portion of the said site coloured green as shall be necessary for the purposes aforesaid but without any access and when the said land shall cease to be required for such purposes the Company to give up possession of it again to the Board and in all respects at their own costs to restore the premises of the Board to their former condition:

(C.) To grant to the Company an easement under the land coloured blue on the plan to the said agreement of the first day of August one thousand eight hundred and eighty-two: and

(D.) To give possession of and forthwith convey to the Company the portions of the Central Street site coloured pink and purple on the plan annexed to the said agreement to the extent and for the purposes provided by the said agreement but in lieu of the eighteen months' notice provided by clause 2 of the said agreement the Board to accept twelve months' notice or at the option of the Company three months' notice on the Company (free of all cost to the Board) providing for them a site of sufficient floor space for the accommodation of the infant school within one hundred and twenty yards of the present school and paying whatever proper expenses the Board may incur in removing erecting and removing again to on and from the said site a temporary building for the use of the infant school pending the enlargement and alteration of the present school.

3. The Company within six months after raising any capital as mentioned in clause 1 hereof to pay to the Board a further sum of five thousand pounds in further discharge of the said sum of twenty thousand pounds.

4. Within three months after raising the capital for the construction of the portion of the railway on which the Princess Terrace site is situate or

A.D. 1890. — on the Company taking possession thereof as provided by paragraph A of clause 2 hereof the Company to pay to the Board such sum as may be agreed or determined by arbitration under the Lands Clauses Consolidation Acts as the value of the easement under the Princess Terrace site given by clause 7 of the agreement of the first day of August one thousand eight hundred and eighty-two.

5. Should the Company raise any capital as mentioned in clause 1 hereof they shall also pay to the Board half-yearly interest at four per cent. on the four thousand five hundred and sixty-seven pounds expended as aforesaid by the Board in acquiring the Parnell Road site from the date of this agreement until payment or notice from the Company that they do not require the said site And within three months after raising the capital for the section of the Company's undertaking on which the Parnell Road site is situate the Company to pay to the Board a further sum of five thousand pounds (being the balance of the said sum of twenty thousand pounds) less the value to be agreed or determined by arbitration of the easement not now required by the Company of tunnelling under the Blundell Street site as mentioned in clause 1 of the agreement of the first day of August one thousand eight hundred and eighty-two Upon such payments of five thousand pounds and interest being made the Board shall convey to the Company but at the cost in all respects of the Company the Parnell Road site.

6. Should the Company at any time fail to pay interest half-yearly as aforesaid or should the Company give to the Board notice of their intention not to take the Parnell Road site as herein provided the Board shall be at liberty at any time thereafter to sell the Parnell Road site by public auction or private contract or partly by one mode and partly by the other and the Company shall out of the capital mentioned in clause 1 hereof thereupon forthwith pay to the Board the difference between the net sum realised and the cost to the Board of the site (including all costs and expenses of both purchase and sale) together with interest at four per cent. per annum on such cost to the date of payment or at the option of the Company shall on payment of the balance of the said sum of twenty pounds (viz. five thousand pounds less the amount to be deducted therefrom as provided by clause 5 hereof) with interest thereon as aforesaid in all respects at the costs of the Company convey to the Company the said Parnell Road site.

7. The Board to—

- (A.) Seek Parliamentary powers in the session of 1885-6 for another site in lieu of the Baltic Street site :
- (B.) To stay their hands in the erection of any school on the Baltic Street site up to the thirty-first day of July one thousand eight hundred and eighty-six or such earlier date as they shall receive notice from the Company that the Company do not require the property Provided that if on the said thirty-first day of July one thousand eight hundred and eighty-six or thereafter the Company shall be desirous of acquiring the said Baltic Street site the Board shall not oppose the exercise by the Company of their powers of purchase but any buildings that the

Board may have erected thereon after the said thirty-first day of July A.D. 1890.
one thousand eight hundred and eighty-six or such earlier date as
they shall have received notice from the Company as aforesaid shall be
taken and paid for by the Company in addition to the price of the land
as herein provided :

(c.) Not to build their schools on the Buckingham Street site on the land
coloured blue on the plan hereto annexed and not to use the said land
coloured blue for school purposes before the thirty-first day of July
one thousand eight hundred and eighty-six or such earlier date as they
shall receive notice from the Company that the Company do not require
the property :

(d.) In the selection of the site (which shall be south of Old Street) to
replace the Baltic Street site the surveyor of the Company shall be
consulted and any representations that he may think proper to make
on their behalf shall be laid before the Works Committee of the Board
and considered by them and should they fail to agree to his suggestions
the matter to be referred to the architect for the time being of the
Education Department who shall decide what under the circumstances
shall be done as being fair between the parties having regard to the
fact amongst other things that the new site is to be equally accessible
as the Baltic Street site to the children especially to the infants now
attending the Golden Lane Schools.

8. The Company agree to pay interest at four per cent. per annum but
not to exceed in the whole one thousand pounds on the cost to the Board
including all costs and expenses of the site in Baltic Street and of the
additional land in Central Street purchased by the Board in one thousand
eight hundred and eighty-four from the date hereof to the thirty-first day
of July one thousand eight hundred and eighty-six or such earlier date as
the Company shall give notice to the Board that they do not require them
to stay their hands any longer.

9. Should the Company raise capital as mentioned in clause 1 hereof
they shall within one year from the date hereof purchase from the Board
the Baltic Street site and in estimating the purchase-money or compensation
to be paid by the Company to the Board in respect of the said lands the
arbitrator or jury as the case may be shall assess and award all costs
expenses and outlay which the Board may prove to have been incurred and
paid in acquiring the site to be selected to replace the Baltic Street site
The said site to be selected shall be of at least equal area and in every
respect equally suitable as well as to frontages light and air and access as in
all other respects as the Baltic Street site and the Board shall be the sole
judges of such suitability.

10. The Company within eighteen months of raising the capital as
mentioned in clause 1 hereof to pay to the Board the cost of (including
costs expenses and outlay of all kinds) acquiring the freehold of the land
coloured pink on the plan annexed hereto the Board at the Company's
expense to obtain necessary powers for the purpose of such acquisition
The Board to purchase the same with all due despatch and to submit the

A.D. 1890. terms for the approval of the Company and should the Company not approve within fourteen days the terms shall be settled by arbitration or jury under the Lands Clauses Consolidation Act 1845 If the land coloured pink shall cost less than the land coloured blue the excess to be also paid to the Board by the Company and on such payments being made if made within two years from the date hereof but not otherwise the Board to give possession of and convey to the Company so much of the Buckingham Street site as is coloured blue on the said plan hereto annexed.

11. The Chancery action brought by the Company against the Board to be forthwith discontinued the costs of the Board as between solicitor and client to be paid by the Company out of the capital referred to in clause 1 hereof.

12. This agreement shall be carried into effect notwithstanding anything contained in the Regent's Canal City and Docks Railway Act 1885 should the same become law in the present session of Parliament.

13. The Company shall from time to time pay all costs of the Board occasioned by this agreement or in any way connected therewith or with the carrying out or enforcing the same including the costs of all necessary deeds in duplicate.

14. Except as expressly varied by this agreement the agreement of the first day of August one thousand eight hundred and eighty-two is to remain in force and is hereby confirmed.

In witness whereof the Board and the Company respectively have hereunto caused their respective common seals to be affixed the day and year first above written.

The seal of the School Board for London was
hereunto affixed in the presence of

G. H. CROAD,
Clerk of the Board.

The
Seal of the
School Board for
London.

The common seal of the Regent's Canal City
and Docks Railway Company was affixed
hereto in the presence of

FREDERICK COOLE,
Secretary (pro tem.)

The
Seal of the
Regent's Canal
City and Docks
Railway
Company.

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