CHAPTER lv.

An Act to extend the time for purchasing Lands and completing the Metropolitan City Lines and Extensions. A.D. 1881.

[3rd June 1881.]

WHEREAS by the Metropolitan and District Railways (City Lines and Extensions) Act 1879 (in this Act called "the Act of 1879") the Metropolitan Railway Company and the Metropolitan District Railway Company (in this Act respectively called "the Metropolitan Company" and "the District Company" and collectively "the two Companies") were authorised to make the railways and works therein described and the time for the compulsory purchase of land was limited to two years and for the completion of the railways and other works authorised by the said Act (section fifty) to three years from the passing of the Act and provision was (sections fifty-two and fifty-three) made for the appointment of and vesting in a joint committee the powers conferred by the Act on the two Companies jointly: 42 & 43 Vict. c. cci.

And whereas it is expedient that the time limited for the compulsory purchase of lands and for the completion of the said railways and works should respectively be extended:

And whereas the objects aforesaid 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 and District Railways (City Lines and Extensions) Act 1881.

Extension of time for compulsory purchase of lands.

2. The period limited by the Act of 1879 for the compulsory purchase and taking of lands shall be extended and such powers shall continue in force until the eleventh day of August one thousand eight hundred and eighty-two.

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Extension of time for making railways and works.

3. The period limited by the Act of 1879 for the completion of the railways and works thereby authorised and for the accruing of a penalty for the non-completion thereof shall be extended to the eleventh day of August one thousand eight hundred and eighty-three and if the said railways and works shall not on that day be completed the powers by that Act and this Act granted for making the same shall cease to be exercised except as to so much of the said railways and works respectively as shall then be completed.

Church &c. of Saint Mary-at-Hill not to be taken.

4. Notwithstanding anything contained in this Act it shall not be lawful for the two Companies or the Metropolitan and District Joint Committee or any of them to enter upon take use or otherwise interfere with or acquire any easement to use any part of the church or churchyard or church passage of Saint Mary-at-Hill or the premises attached thereto numbered respectively 5 4 and 3 in the parish of Saint Mary-at-Hill on the plans referred to in the Act of 1879 or the soil or ground underneath the said church churchyard church passage and premises.

Saving agreement on behalf of the trustees of the charities for the parish of Saint Dunstan-in-the East.

5. Nothing in this Act shall be deemed or construed to prejudice take away diminish or affect the memorandum of agreement made the second day of July one thousand eight hundred and seventy-nine between Messieurs Baxter and Company and Messieurs Burchells the solicitors for and on behalf of the two Companies and Messieurs Shearman and Son the solicitors for and on behalf of the trustees of the charities for the parish of Saint Dunstan-in-the-East set forth in the schedule to this Act but such agreement shall be binding on the two Companies and on the Metropolitan and District Joint Committee and have the same force and effect as if entered into under this Act.

Cesser of powers of Link Line Company. 37 & 38 Vict. c. cxcix.

6. And whereas by the 93rd section of the Act of 1879 after reciting that the construction of the railways authorised by the said Act would prevent the construction of the railways authorised by the Metropolitan Inner Circle Completion Act 1874 (herein-after referred to as "the Act of 1874") it was (amongst other things) enacted (sub-section C.) that when and so soon as the two Companies should commence the construction of the Railway No. 1 authorised by the said Act of 1879 by the service of the land purchase notices upon such owners of property named in the deposited book of reference as should be certified by one of the Companies engineers to be necessary for the construction of the said Railway No. 1 the powers of the Link Line Company to construct the lines by the Act of 1874 authorised should cease. And whereas

the two Companies have caused the notices referred to in the said section to be served upon the owners of the property certified by one of the Companies engineers to be necessary for the construction of the said Railway No. 1 and of which they are not already the owners: Be it therefore declared and enacted that the powers of the Link Line Company to construct the lines authorised by the Act of 1874 have ceased.

Provision as to general Railway Acts.

7. Nothing in this Act contained shall exempt the railways of the two Companies 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.

Expenses of Act.

8. 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 two Companies.

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SCHEDULE referred to in the foregoing Act.

Memorandum of Agreement made the second day of July one thousand eight hundred and seventy-nine between Messieurs Baxters and Company and Messieurs Burchells solicitors for and on behalf of the Metropolitan Railway Company and the Metropolitan District Railway Company (herein-after referred to as "the two Companies") now promoting a Bill in Parliament for completion of the inner circle system of railways on the one part and Messieurs Shearman and Son solicitors for and on behalf of the trustees of the charities for the parish of Saint Dunstan-in-the-East in the City of London (herein-after referred to as "the trustees") petitioners against the said Bill on the other part witnesseth that it is agreed between the parties as follows:—

1. The two Companies shall purchase only so much of the properties numbered fifteen and sixteen in the said parish on the deposited plans referred to in the said Bill as shall be required for the railway and carriageway and footway of Great Tower Street when widened under the powers contained in the said Bill when passed into an Act.

2. If the two Companies purchase the property numbered seventeen in the said parish on the said deposited plans the trustees shall if required so to do by the two Companies purchase so much of the last-mentioned property as shall not be required for the said railway and carriageway and footway of the said street when widened as aforesaid.

In case any difference shall arise between the parties under this agreement as to price or otherwise the same shall be referred to and shall be determined by Robert Ritchie and Edward Norton Clifton architects and surveyors and failing agreement between them by an umpire to be appointed by them and such reference shall so far as applicable be deemed a reference under the Lands Clauses Act.

3. This Memorandum of Agreement shall be exchanged for a formal agreement between the two Companies and the trustees for carrying out the foregoing objects within one month from the date hereof.

(Signed) Baxters & Co.
Burchells.

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