CHAPTER ccxii.

An Act for constituting a separate undertaking of the Regent's Canal City and Docks Railway Company, for amending their Act of incorporation; and for other purposes. [20th August 1883.] A.D. 1883.

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 £8,100,000 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 £2,390,000 and of that sum to borrow not exceeding in the whole £239,000 in respect of each £810,000 of their capital:

And whereas by the Act of 1882 the Company were authorised to make and maintain various Railways including the following (that is to say):

A Railway (No. 3) 7 miles 5 furlongs and 7·42 chains or thereabouts in length commencing in the parish of Saint Mary Islington in the county of Middlesex by a junction with Railway No. 2 by the said Act authorised at its termination as above described and terminating in the township of Plaistow in the parish of West Ham in the county of Essex at a point 98 yards or thereabouts measured in a north-westerly direction from the north-east corner of the "Prince of Wales" public-house situate in Regent's Lane;

A Railway (No. 3A) 7 furlongs and 8·91 chains or thereabouts in length commencing in the parish of Saint Pancras in the county of Middlesex by a junction with the goods lines of the Midland Railway Company and terminating in the parish of Saint Mary Islington in the same county at a point 2 yards

A.D. 1883.

or thereabouts eastward from the eastern side of the street known as Bath Place;

A Railway (No. 3B) 2 furlongs and 9·63 chains or thereabouts in length wholly in the parishes of Saint Mary Islington and Saint Pancras in the county of Middlesex or one of them commencing in the parish of Saint Mary Islington by a junction with the Railway No. 3 by the said Act authorised at its commencement as above described forming also in its course a junction with the Railway No. 3A by the said Act authorised at its termination as above described and terminating in the said parish of Saint Mary Islington at a point immediately in line with the northern face of the Maiden Lane tunnel of the Great Northern Railway;

A Railway (No. 3c) 1 furlong and 9·30 chains or thereabouts in length wholly in the parish of Saint Mary Islington aforesaid commencing by a junction with the Railway No. 3B by the said Act authorised at its termination as above described and terminating by a junction with the Great Northern Railway;

A Railway (No. 3D) 5 furlongs and 6·82 chains or thereabouts in length wholly in the parish of Saint Mary Islington aforesaid commencing by a junction with the Railway No. 3B by the said Act authorised at its termination as above described and terminating by a junction with the passenger lines of the Great Northern Railway;

A Railway (No. 3E) 3·85 chains or thereabouts in length wholly in the parish of Saint Mary Islington aforesaid commencing by a junction with the Railway No. 2 by the said Act authorised at its termination as above described and with the Railway No. 3B by the said Act authorised at its commencement as above described and terminating at a point about 12 yards northward from the towing-path of the Regent's Canal by a junction with the Railway No. 6 by the said Act authorised;

A Railway (No. 6) 1 mile 6 furlongs and 1·42 chains or thereabouts in length commencing in the parish of Saint Mary Islington aforesaid by a junction with the Railways Nos. 3A and 3B by the said Act authorised at the point of termination of the said Railway No. 3A as above described and terminating in the parish of Saint Giles without Cripplegate in the city of London at the northern side of the public road known as Barbican at a point 26 yards or thereabouts measured in a westerly direction from the south-west corner of Golden Lane;

And whereas the Railways Nos. 3 3A 3B 3C 3D 3E and 6 so authorised by the Act of 1882 would form a continuous line of

Railway between the Great Northern Railway and the Midland Railway at or near King's Cross and Barbican in the city of London:

And whereas it is expedient that the Company be authorised to constitute the said Railways or some of them or some part or parts thereof respectively a separate undertaking of the Company with a separate and distinct capital proprietary and borrowing powers:

And whereas it is expedient that in other respects the Act of 1882 be amended as herein-after provided:

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:—

Short title.

1. This Act may be cited as the Regent's Canal City and Docks Railway (Various Powers) Act 1883.

Interpretation.

2. In this Act the several words and expressions to which meanings are assigned by the Act of 1882 or by the Acts wholly or partially incorporated therewith have the same respective meanings unless there be something in the subject or context repugnant to such construction and the expression "the Canal undertaking as by this Act defined" means and includes so much but so much only of the Company's undertaking lands and property as under the provisions of Section 200 of the Act of 1882 might be purchased or acquired or taken on lease in perpetuity under the Purchase or Leasing Act (should the same be passed) without the consent of or agreement by the Company.

Company may create part of capital as separate capital.

3. The Company may before creating any part of the capital authorised by the Act of 1882 (other than the Canal capital if that capital be created as a separate capital) resolve and determine at a general meeting specially called for the purpose with notice of the object of the meeting that 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 shall be a separate undertaking of the Company (herein-after referred to as "the City Lines undertaking") and that the capital necessary for the purposes of that undertaking not exceeding in the whole two millons five hundred thousand pounds shall be a separate capital of the Company and in the event of the Company so determining the Company may create such capital as a separate capital (which separate capital is herein-after referred to as "the City Lines capital") and the Company

A.D. 1883.

shall at the same or some subsequent general meeting convened in like manner and before the creation of any part of the capital authorised by the Act of 1882 other than the Canal capital resolve and determine—

(A) What proportion of the general charges of the Company or what annual or other sum in lieu thereof shall be paid and borne out of the revenue of the City Lines undertaking and the same shall thenceforth be paid accordingly out of such revenue; and

(B) What maximum dividend shall be paid upon the City Lines capital or any part thereof and in what manner and to what purposes any surplus profits of the City Lines undertaking after paying such dividend shall be applied.

As to separate capital.

4. In the event of the City Lines capital being created the following provisions shall have effect (that is to say):—

(A) The Company shall keep separate and distinct accounts of their receipts credits payments and liabilities on account of the City Lines capital and revenue;

(B) The expenses of maintaining and working the City Lines undertaking shall be borne and paid by the Company out of the revenue of that undertaking solely unless the Company shall at some such general meeting as aforesaid otherwise resolve and determine;

(C) Of the sum of two millions three hundred and ninety thousand pounds which by the Act of 1882 the Company are empowered to borrow on mortgage the Company may from time to time borrow on mortgage of the City Lines undertaking any sum or sums not exceeding in the whole eight hundred and thirty-three thousand three hundred pounds and of that sum they may borrow not exceeding eighty-three thousand three hundred and thirty pounds in respect of every two hundred and fifty thousand pounds of the City Lines capital;

(D) The Company shall (subject to the provisions of any Act of the Company already or hereafter to be passed relating to the Canal undertaking and the Canal capital) apply the revenue arising from the City Lines undertaking as follows:—

(1) In payment of the proportion of the expenses properly attributable to the working of the City Lines undertaking:

(2) In payment of any rentcharges for land on the City Lines undertaking;

(3) In payment of the interest on all mortgages or debenture stock granted or issued by the Company on or in respect of the City Lines undertaking;

(4) In payment of dividends on the City Lines capital or upon so much thereof as may be from time to time paid up at such rate as shall be attached thereto by the Company as aforesaid;

(5) To such purposes as the Company may have determined as herein-before provided to apply the surplus profits of the City Lines undertaking;

(E) All mortgages or debenture stock to be granted or issued by the Company in respect of the City Lines capital under the powers of this Act shall be a charge exclusively upon the City Lines undertaking and shall not comprise or affect any other property or undertaking of the Company and (subject to the provisions of any Act of the Company already or hereafter to be passed with respect to the Canal undertaking and to the Canal capital) no other mortgages or debenture stock granted or issued by the Company shall be a charge upon the City Lines undertaking;

(F) The mortgages from time to time granted by the Company in respect of the City Lines capital shall on the face thereof distinctly denote that each such mortgage is (subject as aforesaid) a mortgage only upon the City Lines undertaking;

(G) Shares and stock in the City Lines capital shall not confer on holders thereof any right of voting or interference at any meeting of the Company on the affairs of the Company not relating to matters affecting the City Lines undertaking except for the election of directors and in any matters affecting the said shareholders or stockholders respectively for both of which matters such shareholders and stockholders shall have the same right of voting as the shareholders and stockholders in the general capital of the Company;

(H) Shares and stock in the City Lines capital shall be entitled to dividends (not exceeding such maximum rate as shall be attached thereto by the Company as aforesaid) only out of the profits of the City Lines undertaking applicable for dividends and the certificates of such shares or stock shall distinctly denote that such shares or stock are entitled to dividends (at such rate as aforesaid) only out of those profits;

(I) It shall not be lawful for the holders of shares or stock in the general or in any other separate capital of the Company to interfere with the expenditure of the City Lines capital or

.D. 1883.

in any other matter affecting that capital or the City Lines undertaking.

epeal of ertain Sec- ions of Act f 1882.

5. Section 175 of the Act of 1882 is hereby repealed and in lieu thereof the following provisions shall have effect:—

Maximum ates of charges for cattle &c.

With respect to the conveyance of goods minerals and things carriages and animals the maximum rates of charges to be made upon the Railways by the Company including the tolls for the user of the Railways and of waggons or trucks and locomotive power and every expense incidental to such conveyance (except a reasonable sum for loading and unloading goods at any terminal station and for delivery and collection of such goods and any other services incidental to the business or duty of a carrier where any such services are or is performed by the Company) shall not exceed the following sums:—

For coal one penny halfpenny a ton a mile;

For all other goods in Class 1 one penny three farthings a ton a mile;

For goods in Class 2 twopence a ton a mile;

For goods in Class 3 threepence a ton a mile;

For goods in Class 4 fourpence a ton a mile;

For goods in Class 5 fivepence a ton a mile;

Protecting Great Northern Railway.

6. Notwithstanding the separation of the undertaking of the Company as herein-before authorised all the provisions contained in the Act of 1882 for the benefit or protection of the Great Northern Railway Company shall remain in full force and specifically the following enactments namely:—

(A) The proviso contained in the 31st section of the said Act with respect to the construction and opening for traffic of the Railway No. 3B;

(B) The proviso in the same section enabling the Great Northern Railway Company to construct Railways 3C and 3D or some other convenient junction between the Great Northern Railway and the Railway 3B;

(C) The provisions contained in the 198th and 199th sections of the said Act of 1882 for the use by the Great Northern Railway Company of the portions therein defined of the undertaking of the Company and the facilities to be afforded for the conveyance of the traffic of that Company.

Enlarging of powers of Company in general meeting.

7. The powers of the Company to be exercised only at general meetings of the Company are hereby extended and enlarged so as to include the awarding of compensation or remuneration out of any funds of the Company to any person or persons for any special

services rendered to the Company or in reference to the applying for obtaining or passing of the Act of 1882 or otherwise in connexion with the Company or its affairs.

Saving for debenture stockholders of the Regent's Canal Company.

8. Nothing in this Act shall be construed to prejudice or affect any of the securities charges priorities rights or remedies of the holder for the time being of any debenture stock of the Canal Company whether under the Act of 1882 or otherwise and the generality of this provision shall not be deemed to be restricted by any other provisions of this Act.

Saving rights of Canal Companies under Section 39 of Act of 1882.

9. Nothing in this Act contained shall be deemed to interfere with the obligations thrown upon the Company by section 39 of the Act of 1882 nor to prejudice alter or affect any estates rights interests powers privileges or authorities under that Act of the several canal companies (which expression shall be deemed to include the Lee Conservancy Board) whose canals and navigations have uninterrupted water communication with the Regent's Canal.

Confirming Scheduled agreement.

10. The agreement set forth in the Schedule to this Act varying the Crown agreement scheduled to and confirmed by the Act of 1882 is hereby confirmed and shall be binding on the Company and valid as between the Commissioners of Her Majesty's Woods Forests and Land Revenues and the Company and the conveyances and grants to be made under the Crown agreement scheduled to the Act of 1882 shall be varied accordingly and the additional consideration to be paid by the Company under the agreement set forth in the 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.

Provision as to general Railway Acts.

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

Costs of Act.

12. 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.

A.D. 1883.

The SCHEDULE referred to in the foregoing Act.

Articles of Agreement made the ninth day of May one thousand eight hundred and eighty-three between The Queen's Most Excellent Majesty of the first part The Honourable Charles Alexander Gore 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 herein-after 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 said 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 herein-after referred to as "the said Agreement."

Whereas the Company are desirous in constructing the Railways in the said Act referred to as Nos. 1 and 3 respectively of varying in some respects and in some places the centre line of such railways respectively from the centre line laid down upon the plans referred to in the said Agreement. Now these Presents witness and the said Charles Alexander Gore 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. The said Charles Alexander Gore as such Commissioner as aforesaid hereby consents to the deviation of the centre line of the said Railway No. 1 so far as it will pass through or adjoin the Regent's Park Estate (defined in the said Agreement) from that shown on the Plan No. 1 referred to in the said Agreement to that shown by the dotted red line on the Plan numbered 1A signed by the said Charles Alexander Gore and by James Staats Forbes on behalf of the Company and deposited in the Office of the Commissioners of Her Majesty's Woods Forests and Land Revenues and to the consequent extension northwards or north-westwards into the Crown lands as shown by the colours yellow and green on the said Plan No. 1A of the Works to be constructed by the Company under the said Agreement on or under or adjoining the said

Regent's Park Estate. And also to the deviation of the centre line of the Railway No. 3 where it adjoins part of the Victoria Park Estate (defined in the said Agreement) about Bonner Hall Bridge from that shown on the Plan No. 2 referred to in the said Agreement to that shown by the dotted red line on the plan No^d. 2A signed by the said Charles Alexander Gore and by James Staats Forbes on behalf of the Company and deposited as aforesaid and to the consequent extension of the works to be constructed by the Company under the said Agreement at such part of the said Railway No. 3 into the Crown lands as shown by the green colour on the said Plan No. 2A.

2. The covered ways to be constructed under the said Agreement shall be constructed in accordance with the sections drawn on the said Plans Nos. 1A and 2A respectively instead of in accordance with the sections drawn on the said Plans Nos. 1 and 2 respectively referred to in the said Agreement.

3. In consequence of increased area of Crown lands which will be occupied by the Company's works by reason of the alterations herein-before agreed to the Company shall pay as herein-after mentioned to the Commissioner or Commissioners of Her Majesty's Woods Forests and Land Revenues for the time being in charge of the Land Revenues of the Crown in the County of Middlesex by way of further compensation and in addition to the sums by the said Agreement agreed to be paid the sums following videlicet Before entering upon any part of the said Regent's Park Estate the sum of one thousand nine hundred and fifty pounds and before entering upon any part of the said Victoria Park Estate the sum of three hundred and sixty-five pounds.

4. All charges and expenses which have been or which may be incurred by Her Majesty Her heirs or 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 alterations in the Company's Works herein agreed to and including the office charges for the preparation and completion of this Agreement shall be paid by the Company.

5. This Agreement so far as regards the engagements entered into by the said Charles Alexander Gore is subject to the approval of the Lords Commissioners of Her Majesty's Treasury.

In witness whereof the said Charles Alexander Gore 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.

Signed sealed and delivered by the above-named Charles Alexander Gore in the presence of
J. F. Redgrave
Office of Woods &c.
London.

CHARLES A. GORE. L.S.

A.D. 1883.

Sealed by order of the Board of Directors of the Regent's Canal City and Docks Railway Company in the presence of
ALBERT G. SANDEMAN
W. R. ADAMSON } Directors.
FREDERICK COOLE Secretary pro tem.

Seal of the Regent's Canal City and Docks Railway Company 1882.

Entered in London Lease Book No. 80 page 150 in the Office of the Commissioners of Her Majesty's Woods Forests and Land Revenues the 23rd day of May 1883.

A. COTTAM.

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