



CHAPTER lxxvii.

An Act to authorise the acquisition preservation and management of Lands in the Parish of Paddington for the purposes of a Recreation Ground. [9th June 1893.] A.D. 1893.

WHEREAS the Ecclesiastical Commissioners are or claim to be seized in fee simple of certain lands in the parish of Paddington (herein-after called the "Paddington Estate") subject to a perpetually renewable lease thereof vested in trustees without power of sale (which trustees for the time being are herein-after called the "Trustee Lessees") upon trust for a large number of persons and the rents of the Paddington Estate are divisible between the Ecclesiastical Commissioners and Trustee Lessees :

And whereas a part of the Paddington Estate adjoining Portsdown Road and Carlton Road and the backs of the houses fronting on Kilburn Park Road containing twenty and a half acres or thereabouts has been laid out adapted and arranged as a recreation ground at considerable expense by Richard Melvill Beachcroft as a tenant thereof :

And whereas the Ecclesiastical Commissioners and the Trustee Lessees have given notice to terminate the tenancy of the said land and it is expedient that provision should be made for the acquisition of the said land or the greater part thereof in order that it may be preserved and kept as a public recreation ground to be managed and maintained subject to and in accordance with the provisions herein-after contained :

And whereas the Ecclesiastical Commissioners and the Trustee Lessees have entered into the conditional agreement set out in the schedule hereto (in this Act called the "scheduled agreement") for the sale to the vestry of the parish of Paddington of the piece of land described in the said agreement being part of the Paddington Estate containing about twenty-two acres and including very nearly the whole of the land so laid out as a recreation ground as aforesaid

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(but excluding some small portions thereof) and including other pieces of land of greater area :

And whereas there are upon the said land certain buildings fences and other erections which have been placed thereon and provided by the said Richard Melvill Beachcroft in order to adapt the said land for use as a recreation ground :

And whereas for the purposes of this Act the value of the said buildings fences and other erections together with the cost of laying out the ground has been agreed at three thousand five hundred pounds :

And whereas it is estimated that a sum of about eight hundred pounds will or may be required to enable the vestry to erect iron railings fences and gates in accordance with the provisions of this Act and the scheduled agreement :

And whereas it is expedient that provision should be made as in this Act set forth with respect to the contributions to be made towards the purposes of this Act :

And whereas a plan (in this Act called "the deposited plan") showing in green colour the land intended to be sold and conveyed under the scheduled agreement has been signed by the Right Honourable John William Mellor the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred and a copy of the said plan has been deposited in the Private Bill Office :

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 (that is to say) :—

Short title.

1. This Act may be cited as the *Paddington Recreation Ground Act 1893.*

Scheduled agreement to be carried into effect.

2. It shall be lawful for the Trustee Lessees with the concurrence of the Ecclesiastical Commissioners and without the consent of any other person and for the Vestry of Paddington respectively to carry the scheduled agreement into effect and it shall be lawful for the Ecclesiastical Commissioners and the Trustee Lessees for that purpose to execute all proper assurances of the property agreed to be sold to the said vestry.

As to purchase money payable to Trustee Lessees.

3. The sum of twenty-one thousand five hundred pounds (the moiety not payable to the Ecclesiastical Commissioners of the purchase money mentioned in the scheduled agreement) shall be

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paid by the Vestry of Paddington into the Bank of England to the credit of the Paymaster-General for the time being for and on behalf of the Supreme Court of Judicature to an account to be entitled "In the matter of the Paddington Recreation Ground Act 1893 the account of the Trustee Lessees of the Paddington Estate proceeds of sale of the Paddington Recreation Ground". And it shall be lawful for the said Court upon the application of the Trustee Lessees to order the said sum or any part thereof to be paid out to the Trustee Lessees to be applied by them in or towards the discharge of any costs connected with this Act or of any incumbrances upon the Paddington Estate (but not so as to discharge the Ecclesiastical Commissioners from any then existing liability in respect of any such incumbrances) or in or towards laying out any part of the Paddington Estate for building purposes or to or for such other purposes for the benefit of the Paddington Estate and of the interest of the Trustee Lessees therein or in payment of such costs charges or expenses connected therewith as the said Court shall think fit and it shall be lawful for the said Court upon the application of the Trustee Lessees to make any order for the investment of the said fund or any part thereof or for payment of the income thereof and any such order may be made either without the consent of any beneficiaries or with such consents as the said Court may require.

4. The bodies herein-after mentioned shall be liable and are hereby authorised to contribute in aid of the purchase and acquisition of the said land to the extent of the sums herein-after respectively mentioned:—

Contributions by public bodies.

	£
The Vestry of Paddington - - -	25,000
The Vestry of the parish of St. Marylebone - -	5,000
The Vestry of the parish of St. John Hampstead - -	2,000
The Local Board of Willesden - - -	1,000
	£33,000
	£33,000

5. All sums of money to be so contributed by the Vestries of St. Marylebone and St. John Hampstead and by the Local Board of Willesden and all other sums agreed to be contributed in aid of the purchase and acquisition of the said lands shall be paid to the Vestry of Paddington when required and shall be applied by the Vestry of Paddington for the purposes of this Act.

Application of money paid to Vestry of Paddington.

6. Out of the sums so contributed and paid to the Vestry of Paddington and the said sum of twenty-five thousand pounds to be contributed by the Vestry of Paddington the said Vestry shall pay

As to sums contributed and paid to Vestry of Paddington.

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the purchase money under the scheduled agreement and also the said sum of three thousand five hundred pounds to the said Richard Melvill Beachcroft in respect of the said buildings fences and other erections and laying out the said ground and also a further sum of eight hundred pounds being the estimated cost of erecting iron railings fences and gates as provided by this Act and any balance thereof after the said payments shall be held by the Vestry of Paddington in trust to be used only for the enlargement or improvement of the recreation ground. Provided that in case the total amount paid by way of contributions to the Vestry of Paddington for the purposes of this Act do not amount to twenty-two thousand three hundred pounds being the amount which with the twenty-five thousand pounds to be contributed by the Vestry of Paddington will make up the sum of forty-seven thousand three hundred pounds on or before the first day of September one thousand eight hundred and ninety-three it shall be lawful for the said vestry if they think fit by notice in writing to determine the scheduled agreement by giving to the said Ecclesiastical Commissioners and Trustee Lessees fourteen days' notice prior to the twenty-ninth day of September one thousand eight hundred and ninety-three of such intention to determine and in that event the said agreement shall be null and void.

Vestry of
Paddington
may borrow
further sums.

7. The Vestry of Paddington shall be at liberty to raise or borrow as herein-after provided any further sum not exceeding two thousand pounds for the purpose of paying the costs of and incidental to the preparing applying for and passing of this Act and of the negotiations relative thereto and of and incidental to the conveyance to the vestry and of executing any necessary works in relation to the said recreation ground including the building or acquiring and providing of a house for a person to take charge of the recreation ground.

Power to
vestries or
district
boards to
borrow.

8. For the purpose of making any expenditure or contribution under this Act the Vestry of Paddington or the Vestries of the parishes of St. Marylebone and St. John Hampstead respectively and any other vestry or district board agreeing to make any contribution for the purposes of this Act may borrow of the London County Council or of any other person and the London County Council may (subject to the provisions of any Act of Parliament for the time being in force relating to loans by that council to a vestry) lend to such vestry or district board the requisite moneys and for the purpose of securing the repayment with interest of any moneys to be borrowed as aforesaid the said vestries or district boards may

mortgage and assign over to the council or other person lending the money all the moneys or rates authorised to be raised by the said vestries or district boards under the Metropolis Management Act 1855 and all the provisions of sections 183 to 191 inclusive of the last-mentioned Act shall apply to any borrowing by the said vestries or district boards under this section of this Act Provided always that the repayment of any such loan or loans may be extended over a period not exceeding sixty years and may be made repayable by instalments or by way of annuity as may be agreed upon.

9. It shall be lawful for the Vestry of Paddington to purchase and for the Ecclesiastical Commissioners and the Trustee Lessees according to their respective estates and interests to sell and convey to the Vestry of Paddington for the enlargement of the said recreation ground the piece of land delineated on the deposited plan and thereon coloured yellow or any part thereof on such terms as may be agreed between them Provided that any such sale on the part of the Trustee Lessees shall be subject to the approval of the Chancery Division of the High Court to be obtained on the application of the Trustee Lessees either without the consent of any beneficiaries or with the consent of such beneficiaries or other persons (if any) as the said Court shall think proper and any such conveyance so approved shall be sufficient to convey all the estate and interest of the beneficiaries in the said piece of land and the purchase money to be paid in respect of the said land coloured yellow or any part thereof shall be subject to the same provisions as in this Act contained with reference to the sum of forty-three thousand pounds.

Sale and purchase of additional ground.

10. Subject to the provisions of this Act the Vestry of Paddington shall maintain and preserve in perpetuity the land acquired by them under this Act for the purposes of a recreation ground open to the public free of charge for admission to any part thereof and so that portions of the said ground may be set apart and maintained for the purpose of cricket football lawn tennis and cycling or other lawful games and the said vestry may make reasonable charges for the use of the ground for such purposes and apply all moneys received in respect of such charges towards the cost of maintenance of the said recreation ground or as the said vestry shall otherwise determine and shall not erect any building thereon except such as they may think necessary for preserving or adapting or in connection with the use of the said land or any part thereof for the purposes aforesaid Provided that a portion of the said ground not less than four acres in extent (exclusive of roads

Powers of Vestry of Paddington.

A.D. 1893. and paths) shall be reserved and not appropriated under the provisions of this section for the purpose of games.

Committee of management.

11.—(1.) There shall be a committee of not more than fifteen in number nine of whom shall be appointed by the Vestry of Paddington three by the Vestry of St. Marylebone two by the Vestry of St. John Hampstead and one by the Local Board of Willesden and such committee shall have control over the recreation ground so far as relates to the letting thereof and for securing to the contributing parishes a fair consideration of their right to the use thereof but the management of the ground as well as the control of the finances receipts and expenditure shall be subject exclusively to the direction of and be solely vested in the Vestry of Paddington Provided always that it shall not be obligatory on the Vestries of St. Marylebone and St. John Hampstead or the Local Board of Willesden or any or either of them to appoint representatives on such committee and in the event of all or any of them declining or omitting to appoint as aforesaid the committee shall be deemed sufficiently constituted by the nine members appointed by the Vestry of Paddington either with or without the members appointed by such of the vestries or local board as may elect to appoint members in the proportion aforesaid.

(2.) Every person appointed on such committee shall retire at the end of three years from the date of his appointment but shall be eligible for re-appointment by the vestry or local board which he represents Any vacancy occasioned by death or resignation may be filled up by the vestry or local board affected thereby and the person appointed to fill such vacancy shall hold office only so long as the person he succeeds would have done.

Power to Local Board of Willesden to borrow moneys for purposes of Act.

12. The Local Board of Willesden (herein-after referred to as "the local board") may borrow the moneys required by them for the purposes of their contribution on security of their general district rate in the same manner and with the same powers and under the same conditions in all respects as if such contribution were one of the purposes for which the local board may borrow money under the Public Health Act 1875 except that the consent of the Local Government Board to such borrowing shall not be necessary.

Repayment of borrowed money.

13. The local board shall pay off all moneys borrowed by them under the powers of this Act within sixty years from the time of the borrowing thereof and such repayments shall be made either—

(1.) By yearly or half-yearly instalments of principal or of principal and interest combined Provided that when the payment

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shall not be made by equal instalments of principal the instalment or instalments payable in each year together with the interest payable in such year in respect of the principal moneys of which such instalment or instalments form part shall in every year amount to the same sum :

- (2.) Or by a sinking fund to be annually set apart and accumulated at compound interest and to be applied and invested in manner herein-after prescribed The annual sums to be so set apart shall be such equal sums as with the accumulations thereof at compound interest at three per centum with yearly rests will be sufficient to pay off the said principal sum in the said period.

14. The local board may from time to time apply the whole or any part of such sinking fund in or towards the discharge of the principal moneys for the discharge of which such fund shall have been established Provided that they pay in each year into the fund so applied and accumulate until the whole of the principal moneys in respect of which it shall have been accumulated shall have been discharged a sum equivalent to the interest of the sinking fund or part of the sinking fund so applied at the rate per centum on which the annual payments to the fund are based Provided also that whenever and so long as the yearly income arising from the said sinking fund shall be equal to the annual interest of such principal moneys then outstanding and to be paid off by means of such fund the local board may in lieu of investing the said yearly income apply the same in payment of such interest Provided also that when the amount standing to the credit of the sinking fund shall be equal to the amount of the principal moneys outstanding for the repayment of which it was set aside the local board may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sums by this Act required to be so paid thereto.

Application
of sinking
fund.

15. All sums paid into any sinking fund created by the local board under the provisions of this Act shall be as soon as may be invested by the local board in securities in which trustees are for the time being authorised to invest or in the mortgages bonds debentures debenture stock or other securities authorised by Act of Parliament of any local authority as defined by the Local Loans Act 1875 other than the local board and any such investments may be from time to time varied or transposed and all dividends and other sums received in respect of such investments shall as soon as may be after they are received or become payable be paid into the sinking fund and be invested by the local board in like manner :

Investment
of sinking
fund.

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And if and as often as the income derived from such investment is not equal to the income which would be derived therefrom at the rate per centum on which the equal annual payments to the fund are based any deficiency shall be made good out of the rates or revenue which are liable for the equal annual payments and if and as often as the income derived from such investments is in excess of the income which would be derived therefrom at the rate per centum on which the equal annual payments to the fund are based any such excess may be applied as part of such equal annual payments.

Power to re-borrow.

16. If the local board pay off any moneys borrowed by them under this Act otherwise than by instalments or by means of a sinking fund they may reborrow the same and so from time to time Provided that all moneys so reborrowed shall be repaid within the period prescribed for the repayment of the moneys in lieu of which such reborrowing has been made and that the moneys originally borrowed and any amounts from time to time reborrowed under the foregoing provisions for the repayment of such moneys shall be deemed to form the same loan and the obligations of the local board with respect to the repayment of such moneys shall not be in any way affected by reason of such reborrowing.

Protection of lenders from inquiry.

17. A person lending money to any of the said vestries or to the local board for the purposes of this Act shall not be bound to inquire as to the observance by such vestry or board of any provisions of this Act or be bound to see to the application or be answerable for any loss misapplication or non-application of the money lent by him or of any part thereof.

Priority of existing mortgages.

18. All mortgages granted by the local board subsisting at the passing of this Act shall during their continuance have priority of charge on the security therein comprised over all mortgages granted or issued under this Act.

Annual return to Local Government Board with respect to sinking fund.

19. The clerk to the local board shall within twenty-one days after the expiration of each year during which under the provisions of this Act any sum is required to be set apart for a sinking fund or any instalment is required to be paid in respect of moneys borrowed under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest

thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in a summary manner. If it appear to the Local Government Board by such return or otherwise that the local board have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or any interest thereof or have applied any portion of the moneys set apart for that fund to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court.

20. The Vestry of Paddington shall not under the powers of this Act purchase or acquire twenty or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. For the purposes of this section the expression "labouring class" includes mechanics artisans labourers and others working for 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.

Restriction on taking houses of labouring class.

21. The following provisions for the protection of the Paddington Estate shall be at all times observed by the Vestry of Paddington:—

For protection of Paddington Estate.

(1.) The Vestry of Paddington shall erect and for ever maintain an iron railing of a pattern and height to be approved by the surveyors of the Ecclesiastical Commissioners and the Trustee Lessees between the points A and B on the deposited plan and shall whenever required so to do by the said surveyors erect a fence wherever the word "fence" is written upon the deposited plan and where such fence does not now exist and remove such fence or any part thereof upon the said Commissioners and Trustee Lessees undertaking to erect a wall in the place of the fence removed:

(2.) The Vestry of Paddington shall erect and for ever maintain gates or entrances for the purpose of access to the said ground

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to the satisfaction of the said surveyors at the points where the word "gates" is written on the deposited plan :

- (3.) No buildings or erections shall be set up or erected on the recreation ground except such as are properly required for the purposes thereof and the character position and elevation of all such buildings or erections shall be subject to the approval of the said surveyors which approval shall not be unreasonably withheld and in case any question shall arise as to whether or not any such approval shall have been unreasonably withheld the same shall be referred to the President of the Surveyors Institution for the time being whose decision shall be final and binding on all parties :

Any of the provisions of this section may be from time to time modified by agreement between the Vestry of Paddington the Ecclesiastical Commissioners and the Trustee Lessees.

Byelaws.

22. The provisions of section 6 of the Metropolitan Open Spaces Act 1881 as to byelaws shall extend and apply to the recreation ground and such byelaws may be made and enforced by the Vestry of Paddington with reference thereto.

Costs of Act.

23. The costs of the Vestry of Paddington of and incidental to the preparing applying for and passing of this Act and of the negotiations relative thereto shall after taxation by the taxing officer of the House of Lords or the House of Commons be paid by that vestry who shall also pay the costs and expenses of that vestry of carrying the scheduled agreement into effect.

SCHEDULE referred to in the foregoing Act.

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AN AGREEMENT made this twenty-third day of March one thousand eight hundred and ninety-three between the Ecclesiastical Commissioners for England of the first part James Peter Bathurst of No. 111 King Henry's Road South Hampstead in the county of Middlesex Esquire John Cavendish Orred of Tranmere Weston and Runcorn in the county of Chester Esquire and Walter Morshead of No. 2 Stone Buildings Lincoln's Inn in the said county of Middlesex Esquire of the second part and the Vestry of the parish of Paddington in the said county of Middlesex of the third part.

WHEREAS the fee simple of certain lands in the parish of Paddington aforesaid commonly known and herein-after referred to as "the Paddington Estate" is vested in the said Commissioners subject to the perpetually renewable leasehold interest herein-after mentioned And whereas under or by virtue of a private Act of Parliament passed in the thirty-fifth year of the reign of His late Majesty King George III. chapter 83 intituled "An Act for enabling the Lord Bishop of London to grant a lease with powers of renewal of lands in the parish of Paddington in the county of Middlesex for the purpose of building upon" and certain other subsequent Acts of Parliament Orders of the Court of Chancery deeds and other instruments respectively noticed or recited in the Paddington Estate Act 1875 and of the last-mentioned Act and of a subsequent Order of the Chancery Division of the High Court of Justice dated the fourteenth day of June one thousand eight hundred and seventy-nine and an indenture dated the twenty-fifth day of the same month executed in pursuance of the last-mentioned order and of another order of the said Chancery Division dated the twenty-eighth day of February one thousand eight hundred and ninety-one and an indenture dated the thirteenth day of May one thousand eight hundred and ninety-one executed in pursuance of the last-mentioned order and in the events which have happened the Paddington Estate is now held under a lease which is vested in the parties hereto of the second part as trustees for a large number of persons (and which trustees are herein-after called "the Trustee Lessees") subject to certain rents and annual payments for the residue of a term of ninety-nine years granted or created by a lease dated the second day of June one thousand eight hundred and forty-five by way of renewal of a previously subsisting lease which term of ninety-nine years is perpetually renewable as of right at the end of the first fifty years of the said term of ninety-nine years and at the end of every subsequent fifty years for a further term of ninety-nine years on payment of a nominal fine to the said Ecclesiastical Commissioners their successors or assigns And whereas the said vestry desire to purchase so much of the said Paddington Estate as is delineated on the plan hereto annexed and thereon coloured green for the purpose of a recreation ground and have introduced a Bill into Parliament for the purpose of enabling the

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said vestry to purchase the same And whereas in pursuance of an award made by the late Right Honourable George Wilshire Baron Bramwell dated the twelfth day of March one thousand eight hundred and ninety-two the said Commissioners and the said Trustee Lessees have lately agreed to develop as building land certain parts of the said Paddington Estate including the part which the said vestry desire to purchase as aforesaid and have made arrangements for that purpose which arrangements will be disturbed and defeated by the formation of such recreation ground Now it is hereby agreed by and between the said Commissioners and the said Trustee Lessees on the one hand and the said vestry on the other hand as follows:—

1. The said Commissioners and the said Trustee Lessees (who together are herein-after referred to as "the vendors" where that expression is herein-after used) will sell and the said vestry will purchase the unencumbered fee simple in possession of the said land coloured green on the said plan.

2. The price shall be the sum of forty-three thousand pounds to be paid as to one half to the said Commissioners and as to the other half to the said Trustee Lessees as herein-after provided.

3. The vestry shall maintain and preserve the said land coloured green in perpetuity for the purposes of a recreation ground as in the said Bill mentioned.

4. The vestry shall erect and for ever maintain at their own expense an iron railing of a pattern and height to be approved by the surveyors of the vendors between the points A and B on the said plan and shall whenever required so to do by the said surveyors erect a fence wherever the word "fence" is written upon the said plan and where such fence does not now exist and remove such fence or any part thereof upon the vendors undertaking to erect a wall in the place of the fence removed.

5. The vestry shall erect and for ever maintain gates or entrances for the purpose of access to the said ground to the satisfaction of the surveyors of the vendors at the points on the said plan where the word "gates" is written.

6. No buildings or erections shall be set up or erected on the said recreation ground except such as are properly required for the purposes thereof and the character position and elevation of all such buildings or erections shall be subject to the approval of the surveyors of the vendors which approval shall not be capriciously withheld and in case any question shall arise as to whether or not any such approval shall have been capriciously withheld the same shall be referred to the President of the Surveyors Institute for the time being whose decision shall be final and binding on all parties.

7. The vestry agree and shall if desired by the vendors use their best endeavours to obtain the consent of the London County Council to the laying out of the roads as shown on the said plan on the south and west sides of the proposed recreation ground.

8. The vestry shall pay one moiety of the purchase money viz. the sum of twenty-one thousand five hundred pounds on or before the twenty-ninth day of September next to the account of the Commissioners at the Bank of England and shall on the said twenty-ninth day of September next pay the

other moiety thereof videlicet the like sum of twenty-one thousand five hundred pounds into court and upon such payments being made the Commissioners and the Trustee Lessees and all other necessary parties (if any) will make and execute a proper assurance of the property to the vestry but such assurance and every other assurance and act (if any) which shall be required by the vestry for getting in surrendering or re-leasing any outstanding estate right title or interest or for completing or perfecting the vendors title or for any other purpose shall be prepared made and done by and at the expense of the vestry and every such assurance shall be left not less than ten days before the said twenty-ninth day of September next at the office No. 33 Bedford Row of Messrs. Budd Brodie and Hart the solicitors of the Trustee Lessees and not less than fourteen days before the said twenty-ninth day of September next at the office No. 6 Whitehall Place S.W. of Messrs. White Borrett and Co. the solicitors of the said Commissioners and the expense of the perusal on behalf of and execution and acknowledgment by all parties other than the vendors of all such assurances shall be borne by the vestry In case the said Commissioners shall be in recess at the time the said assurance shall be left then the same shall be sealed by them at their next meeting.

9. The rents or possession will be received or retained and the outgoings discharged by the vendors or one of them up to the said twenty-ninth day of September next and as from that day the outgoings shall be discharged and the rents or possession taken by the vestry and such rents and outgoings shall if necessary be apportioned between the vendors and the vestry for the purpose of this condition If from any cause whatever other than the wilful default of the vendors the purchase shall not be completed on the said twenty-ninth day of September next the vestry shall pay interest on the purchase money at the rate of four pounds per cent. per annum from that day until the purchase shall be completed.

10. The expense of the production inspection and examination and of making and furnishing abstracts of all deeds documents evidence and muniments of title (if any) not in the possession of the Commissioners or the Trustee Lessees and of obtaining making or producing all office attested or other copies of or extracts from records registers deeds wills probates letters of administration and other documents whether in the possession of the Commissioners or the Trustee Lessees or not and of obtaining making and producing all declarations certificates and other evidence whatever not in the possession of the Commissioners or the Trustee Lessees and of obtaining any information not in the knowledge of the Commissioners or the Trustee Lessees whether such production inspection examination copies extracts declarations certificates evidence or information shall be required for the completion or verification of the title or abstract or for any other purpose shall be borne by the vestry and the vestry shall also bear the expense of all searches enquiries and journeys for the above purposes or any of them The vestry shall not require the production of any deed or other document not in the possession of the Commissioners or of the Trustee Lessees of which they shall produce an attested copy or make any objection on the ground of any existing covenants for the production of muniments of title being invalid or insufficient or not running with the land or otherwise or require any other covenant for

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A.D. 1893. the production of any such muniments or make any objection on account of the absence thereof but shall be satisfied in all respects with such existing covenants.

11. The vestry shall send their objections and requisitions (if any) in respect of the title and all matters appearing on the abstract or on this agreement in duplicate to the offices aforesaid within twenty-one days from the date of the delivery to them or their solicitor of the abstract and in this respect time shall be of the essence of the contract and in default of such objections and requisitions (if none) and subject only to such (if any) as shall be so delivered shall be deemed to have accepted the title. The abstract shall as regards any objection or requisition be considered perfect if it supply the information suggesting the same although it may be otherwise defective.

12. If the vestry shall fail to comply with the above conditions either the Commissioners or the Trustee Lessees shall be at liberty to rescind this contract by notice in writing to be given to the clerk of the vestry.

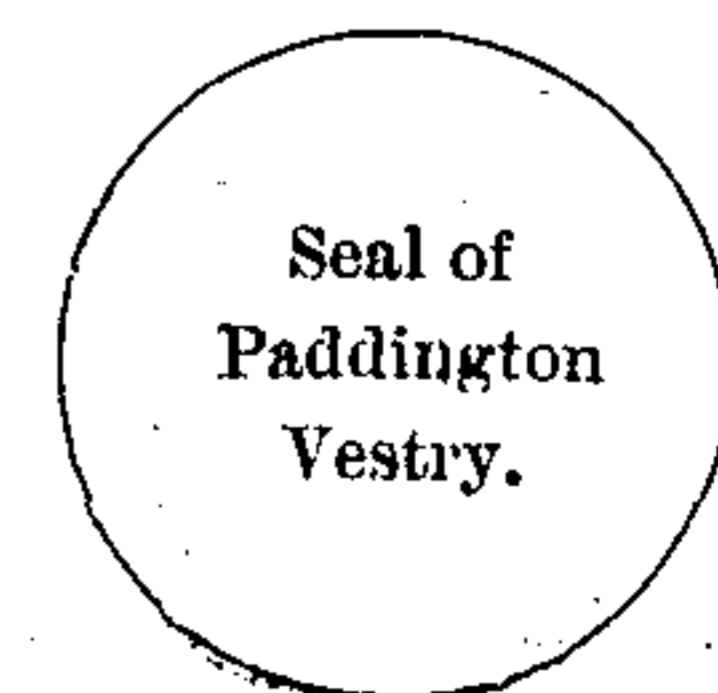
13. This contract is subject to being authorised to be carried out by an Act to be founded on the said Bill introduced as aforesaid and subject to such Bill being passed with clauses enforcing in perpetuity the stipulations contained in clauses 3 4 5 and 6 hereof and if such Bill be not passed in the present Session of Parliament this contract shall be wholly void.

14. If the vestry shall not be able before the said twenty-ninth day of September next to raise the whole of the said sum of forty-three thousand pounds purchase money and also the further sum of three thousand five hundred pounds required for the purchase of the buildings fences and other erections upon the said land hereby agreed to be sold and for the cost of laying out the said recreation ground the vestry may rescind this contract on giving twenty-eight days previous notice in writing to the solicitors of the Commissioners and of the Trustee Lessees and in case of such rescission neither the Commissioners nor the Trustee Lessees shall be entitled to any compensation or other payment from the vestry. In witness whereof the said Ecclesiastical Commissioners for England and the said Vestry of the parish of Paddington have hereunto affixed their respective common seals and the said James Peter Bathurst John Cavendish Orred and Walter Morshead have hereunto set their hands and seals the day and year first above written.

Sealed by the Ecclesiastical Commissioners for England in the presence of
CHAS. JOSEPH ELLIS
10 Whitehall Place
Westminster
Gentleman.



The common seal of the vestry affixed
by Order
FRANK DETHERIDGE
Vestry Clerk.



[56 VICT.] *Paddington Recreation Ground Act, 1893.* [Ch. lxxvii.]

Signed sealed and delivered by
the above-named James Peter
Bathurst John Cavendish Orred
and Walter Morshead in the
presence of
GEORGE BRODIE
33 Bedford Row
Solicitor.

A.D. 1893.

JAMES P. BATHURST (L.S.)
JOHN CAVENDISH ORRED (L.S.)
W. MORSHEAD (L.S.)

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