CHAPTER clxii.

An Act to authorise the East London Waterworks Company to execute further Works and to raise further Money in order to enable them to fulfil their statutory obligations relating to the supply of water or otherwise and to meet the increased demand for water within their district to give effect to an Agreement between the Company and the Persons entitled to or claiming Lammas or Common Rights over certain Lands acquired by the Company in the Parish of Low Leyton otherwise Saint Mary Leyton in the County of Essex to confer further powers upon and make further provision with respect to the Undertaking of the Company and to amend the Acts relating to them and for other purposes. [17th August 1894.] A.D. 1894.

WHEREAS by the East London Waterworks Act 1886 (hereinafter called "the Act of 1886") after reciting that by their former Acts the East London Waterworks Company (in this Act called "the Company") had been authorised to raise by shares or stock capital to the amount of 1,720,560*l.* the whole of which amount had been raised and expended and was then represented by ordinary stock of the Company of the same nominal amount entitled to a maximum dividend of 10 per centum per annum and were empowered to borrow upon mortgage the sum of 394,440*l.* the whole of which sum had been borrowed and expended by the Company and was then represented by debenture stock of the Company of the same nominal amount bearing interest at the rate of 4*l.* 10*s.* per centum per annum free of income tax the Company were empowered to raise 350,000*l.* by the creation and issue of debenture stock upon and subject to special conditions mentioned in the said Act:

And whereas the Company have raised and expended for purposes authorised by the Act of 1886 the whole of the said sum of 350,000*l.* therein mentioned:

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And whereas the population in the Company's district of supply has largely increased and is still increasing and in order to enable the Company to supply the water necessarily required by such increased and increasing population and to comply with the statutory obligations as regards the supply of water it is necessary and expedient that they be empowered to construct the waterworks by this Act authorised and to raise further money by debenture stock for that and other purposes under the conditions herein-after expressed:

And whereas it is expedient that the Company be empowered to alter the line and the level of the carriage road or highway known as Copper Mill Lane in the parish of Walthamstow in the county of Essex as herein-after in that behalf provided:

And whereas it is expedient that provision should be made for giving effect to the arrangement made by the Company with the persons entitled to or claiming to be entitled to lammas or commonable rights in or over certain lands in the parish of Low Leyton otherwise Saint Mary Leyton in the county of Essex coloured blue on a certain plan signed in duplicate by Sir Joseph Whitwell Pease Baronet the Chairman of the Committee of the House of Commons to which the Bill for this Act was during its progress through Parliament referred and the copies of which plan (in this Act called "the signed plan") have been deposited in the Private Bill Office of the House of Commons and in the Office of the Clerk of the Parliaments respectively which said arrangement is contained in the agreement of which a copy is set forth in the schedule to this Act herein-after called the scheduled agreement:

And whereas the Company have laid down the line of rails mentioned in paragraph 2 of the scheduled agreement and have paid the sum of 100*l.* mentioned in paragraph 5 of the said agreement:

And whereas by section 47 of the East London Waterworks Act 1853 (herein-after called "the Act of 1853") it is provided that casual vacancies in the office of directors of the Company shall not be supplied by the directors but may be supplied by a general meeting and the Company are desirous and it is expedient that that section be repealed and that in the future such vacancies shall be supplied in manner provided by the Companies Clauses Consolidation Act 1845:

And whereas it is expedient that such further powers be conferred upon the Company and such further provision be made with respect to the Company and their undertaking as are in this Act expressed and contained:

And whereas plans and sections describing the lines situations and levels of the works by this Act authorised and the lands which may be taken for the purposes thereof and books of reference to those plans containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of such lands have been deposited with the respective clerks of the peace for the counties of Middlesex Essex and London and are in this Act respectively referred to as the deposited plans sections and books of reference:

And whereas the objects aforesaid cannot be attained 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 East London Waterworks Act 1894.

Incorporation of general Acts.

2. The following Acts and parts of Acts (so far as they are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with this Act (namely):—

Part III. (debenture stock) of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869;

The Lands Clauses Acts;

The Waterworks Clauses Act 1847 except the provisions of that Act with respect to the communication pipes to be laid by the undertakers and sections 35 and 36 of that Act and except that section 44 of that Act as incorporated in the recited Acts or any of them and in this Act shall be read and have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" were omitted therefrom and the Waterworks Clauses Act 1863 except the 12th section of that Act;

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof Provided that in construing the provisions of the latter Act for the purposes of this Act the expressions "the railway" and "the centre of the railway" shall respectively mean the works and the boundaries of the works by this Act authorised Provided also that the said provisions as incorporated with this Act shall apply only to the reservoirs and to the alteration of the line and level of Copper Mill Lane by this Act respectively authorised.

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Interpretation.

3. Terms to which meanings are assigned by Acts incorporated wholly or in part with this Act or which have therein special meanings have in this Act the same respective meanings and in this Act and (for the purposes of this Act) in Acts incorporated wholly or in part with this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression shall have effect as if the debt or demand with respect to which it is used were a simple contract debt and not a debt or demand created by statute.

Power to make works and to take lands &c.

4. Subject to the provisions of this Act the Company may make and maintain in the lines and situations and according to the levels shown on the deposited plans and sections the waterworks and other works herein-after described and may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited books of reference as may be required for that purpose.

The works herein-before referred to and authorised by this Act are—

(1.) A storage reservoir (Reservoir No. 1) to be situate partly in the parish of Tottenham in the county of Middlesex and partly in the parish of Walthamstow in the county of Essex and to be constructed partly in the fields numbered 885 and 886 on the $\frac{1}{2500}$ Ordnance map of the said parish of Tottenham and partly in the fields or properties numbered 641 642 643 645 646 647 800 801 806 923 924 and 925 on the $\frac{1}{2500}$ Ordnance map of the said parish of Walthamstow;

(2) A storage reservoir (Reservoir No. 2) to be situate partly in the said parishes of Tottenham and Walthamstow and partly in the parish of Hackney in the county of London to be constructed partly in the field numbered 976 on the said $\frac{1}{2500}$ Ordnance map of the said parish of Tottenham and partly in the fields numbered 638 799 804 805 922 and 985 on the said $\frac{1}{2500}$ Ordnance map of the said parish of Walthamstow and partly in the field numbered 63 on the $\frac{1}{2500}$ Ordnance map of the said parish of Hackney;

(3) The extension of the Racecourse Reservoir situate in the said parish of Walthamstow already constructed so that the top water level thereof may be raised 9 feet or thereabouts by means of an embankment round the whole extent of such reservoir;

(4) A conduit or line of pipes consisting of one or more lines of pipes (Conduit No. 1) 100 yards or thereabouts in length wholly in the said parish of Walthamstow commencing at a point in the said Copper Mill Stream 30 chains or thereabouts

measured in a northerly direction from the Copper Mill House and terminating at or near the north eastern corner of the Reservoir No. 1 by this Act authorised;

(5) A conduit or line of pipes consisting of one or more lines of pipes (Conduit No. 2) 120 yards or thereabouts in length wholly in the said parish of Walthamstow commencing on the western side of the Reservoir No. 1 by this Act authorised at or near the centre thereof and terminating on the eastern side of the Reservoir No. 2 by this Act authorised at or near the centre thereof;

(6) A conduit or line of pipes consisting of one or more lines of pipes (Conduit No. 3) 100 yards or thereabouts in length wholly in the said parish of Walthamstow commencing at or near the south-eastern end of the Reservoir No. 1 by this Act authorised and terminating in the feeder canal of the Company at or near the point where the bridge carrying Copper Mill Lane herein-after mentioned crosses the said feeder canal;

(7) The alteration of the line and level of the carriage road or highway known as Copper Mill Lane aforesaid in the parish of Walthamstow aforesaid such alteration commencing at a point opposite the entrance to the Copper Mills from the said Copper Mill Lane 4·4 chains or thereabouts measured in an easterly direction from the centre of the bridge carrying the said Copper Mill Lane over the said feeder canal and terminating at a point in the said Copper Mill Lane opposite the south-western corner of the Elms Farmhouse 5·76 chains or thereabouts measured in an easterly direction from the centre of the bridge or culvert carrying the said Copper Mill Lane over the said Dagenham Brook.

Limits of deviation.

5. In the construction of the works authorised by this Act and subject to the provisions thereof the Company may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and they may also deviate vertically from the levels shown on the deposited sections to any extent not exceeding in the case of a reservoir three feet upwards and five feet downwards and in the case of all other works to any extent not exceeding five feet Provided always that if it be found necessary or expedient in the construction of any reservoir to alter the situation of any embankment or wall thereof the Company shall not construct such embankment or wall of a greater height above the general surface of the ground than that shown on the deposited sections and three feet in addition Provided further that no part of any pipe line shall be

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above the surface of the ground unless so shown on the deposited sections.

For the protection of works of Havering Dagenham &c. Commissioners of Sewers.

6. In making the alteration of the line and level of the carriage road or highway known as Copper Mill Lane in the parish of Walthamstow by this Act authorised the Company shall not enter upon or interfere with any brook sewer drain watercourse bank or work under the jurisdiction or control of the Commissioners of Sewers for the levels of Havering and Dagenham Ripple Barking East Ham Leyton and Walthamstow in the respective counties of Essex Middlesex and Kent without their consent in writing under the hand of their clerk for the time being first had and obtained and such consent may be given subject to any conditions or restrictions.

For the protection of the Great Eastern Railway Company.

7. In constructing and maintaining Conduit No. 2 and other works authorised by this Act where they will cross under or affect the railway works and property of the Great Eastern Railway Company (herein-after referred to as "the Great Eastern Company") the Company shall be subject to the following conditions:—

(1) Except so far as shall be necessary for the purpose of making laying down and maintaining Conduit No. 2 under the Cambridge Main Line of the Great Eastern Company as the same is according to this Act authorised to be constructed the Company shall not without in every case the previous consent of the Great Eastern Company in writing under their common seal first obtained enter upon take use or interfere with any lands railways sidings or other works from time to time belonging to or leased to or worked by the Great Eastern Company;

(2) With respect to any land of the Great Eastern Company which the Company is by this Act authorised to enter upon use or interfere with the Company shall not purchase or take the same but the Company may purchase and the Great Eastern Company may sell and grant accordingly such easement as may be necessary for laying down Conduit No. 2 under the said Cambridge Main Line The amount to be paid for such easement shall be ascertained in case of difference in the manner provided by the Lands Clauses Acts with respect to the purchase of lands otherwise than by agreement Provided that nothing in this section contained shall affect any existing easement of the Company;

(3) The Company shall lay down Conduit No. 2 authorised by this Act so far as the same will pass under or affect the railways lands or works of the Great Eastern Company in such lines within the limits of deviation shown on the deposited plans and in such manner and according to such mode of construction as shall be approved by John Wilson or other the principal engineer

for the time being of the Great Eastern Company and so as to leave undisturbed at all times the lines of railway and other works connected therewith of the Great Eastern Company and so as in no way to obstruct impede or interfere with the free uninterrupted and safe use of the said lines of railway or with the traffic thereon and if any such obstruction impediment or interference shall be caused or take place the Company shall pay to the Great Eastern Company full compensation in respect thereof to be recovered with full costs in any court;

(4) If by reason of any works or proceedings of the Company or of their contractors or of their workmen or of the leakage or failure of any works or pipes of the Company the said railway or any of the works or lands thereof shall be injured or damaged such injury or damage shall be forthwith made good by the Company at their expense and to the reasonable satisfaction of the said principal engineer and in the event of their failing so to do or in case of emergency the Great Eastern Company may make good the same and recover the reasonable expense thereof from the Company with full costs by all and the same means as any simple contract debt is recoverable and if any interruption shall be caused to the traffic of the said railway by reason of any works of the Company or of any such leakage or failure as aforesaid the Company shall make good and repay to the Great Eastern Company any loss damage or expenses which they may sustain or be put to by reason of the construction leakage or failure of any of the said pipes or works or in respect of the interruption to the traffic of the said railway;

(5) Except as in this section otherwise provided any dispute or difference which may arise between the Great Eastern Company and the Company with reference to the provisions of this section or in anywise arising thereout shall be settled by arbitration by an engineer or other fit person to be appointed by the Board of Trade on application of either the Great Eastern Company or the Company.

Period for compulsory purchase of lands.

8. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for completion of works.

9. If the works authorised by this Act be not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Company for executing the same or in relation thereto shall cease except as to so much thereof as is then completed but nothing in this section shall restrict the Company from extending their works mains and pipes from time to time whenever it shall be necessary for the purpose of

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increasing or distributing the supply of water within their existing limits of supply:

Provided always that the additional filter beds and works for improved filtration and storage shall be commenced as soon as practicable after the passing of this Act and be prosecuted with all due diligence.

Power to take easements &c. by agreement.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Company any easement right or privilege (not being an easement right or privilege of water in which other than parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Restriction on taking houses of labouring class.

11. The Company shall not under the powers of this Act purchase or acquire in any parish within the Metropolis as defined by the Metropolis Management Act 1855 twenty or more houses or beyond the Metropolis in any city borough or other urban sanitary district or in any parish or part of a parish not being within an urban sanitary district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or without the consent 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 twenty or ten houses as the case may be which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

The expression "labouring class" in this section 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.

Debenture stock.

12. The Company may from time to time raise by the creation and issue of debenture stock any sum or sums not exceeding in the whole five hundred thousand pounds and may create and issue debenture stock accordingly and the provisions of Part III. of the Companies Clauses Act 1863 as amended by the Companies Clauses Act 1869 shall so far as applicable apply to the debenture stock so to be created and issued but notwithstanding anything contained in

the said Acts the interest of all debenture stock at any time after the passing of this Act created and issued by the Company shall rank pari passu with the interest of all mortgages at any time after the passing of this Act granted by the Company and shall have priority over all principal moneys secured by such mortgages The Company shall attach to the debenture stock to be created under this Act interest at such uniform rate as in the opinion of the Governor for the time being of the Bank of England or of some person to be nominated by him shall be best calculated to secure the issue of such stock at par to be payable half-yearly at the same time and in the same manner as the existing debenture stock of the Company The Company shall not raise the money by this Act authorised to be raised by creating new shares of the Company instead of borrowing or convert into share capital the debenture stock authorised to be raised under the powers of this Act Provided that fourteen days before applying for such opinion as above mentioned notice in writing of any application for that purpose shall be given to the clerks of the London County Council and the Essex County Council and to the town clerk of the city of London.

Debenture stock to be redeemable at par after a certain period.

13. All debenture stock created under the powers of this Act shall be issued subject to the condition (to be expressed on the certificate of such stock) that the stock may be redeemed at par by the Company at any time after the expiration of twenty-five years from the date at which it is issued the Company giving six months previous notice to the registered holder of such stock of the intention so to redeem the same.

New debenture stock to be offered by auction or tender.

14. Notwithstanding anything in any Acts relating to the Company contained the Company shall when any stock created under the powers of this Act is to be issued offer the same subject to the power of redemption conferred by the last preceding section of this Act for sale by public auction or by tender in such manner at such times and subject to such conditions of sale as the Company shall from time to time determine Provided that at any such sale by auction no single lot shall comprise more than one hundred pounds nominal value of such stock and that the Company shall at any such sale by auction or by tender fix the reserved price to be put upon such stock and notice of the amount of such reserved price shall be sent by the Company in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock in the Company.

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Purchase money of capital sold by auction to be paid within three months.

15. It shall be one of the conditions of any sale of stock under this Act that the whole nominal amount thereof together with any premiums given by any purchaser at such sale shall be paid to the Company within three months after such sale.

Notice to be given as to sale &c. of stock.

16. The intention to sell any such stock by auction or by tender shall be communicated in writing to the clerks of the London County Council and the Essex County Council and to the town clerks of the city of London and the borough of West Ham and to the secretary of the committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and notice of such intention shall be duly advertised four times during such period in two or more London daily newspapers and one Essex newspaper.

Stock not sold by auction or tender to be offered to shareholders.

17. When any stock created under the powers of this Act has been offered for sale by auction or tender and not sold the same shall be offered at the reserved price put upon the same respectively for the purpose of sale by auction or tender to the holders of ordinary shares or ordinary stock in the Company in manner provided by the Companies Clauses Act 1863 with respect to new shares or stock and the provisions of sections 17 to 21 of that Act shall apply accordingly as if the debenture stock were new stock within the meaning of those sections Provided always that any stock so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or by tender in the manner and subject to the provisions of this Act with respect to the sale of stock.

Application of premium arising on issue of stock.

18. Any sum of money which shall arise from the issue of any stock by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Company but shall be expended in extending and improving the works of the Company or in paying off money borrowed or owing on mortgage by the Company and shall not be considered as part of the capital of the Company entitled to dividend.

Limit to amount of stock to be created.

19. It shall not be lawful for the Company to create and issue any greater nominal amount of stock under the powers of this Act than will be sufficient to produce including any premiums which may be obtained on the sale thereof the total amount of five hundred thousand pounds but in the event of such stock being issued at less than par value and resulting in a deficiency in the nominal amount of the additional capital hereby authorised to be raised the Company may issue such additional amount of debenture stock as shall be equivalent to the deficiency so resulting.

Creation of sinking fund.

20.—(1) From and after the expiration of three years from the issue from time to time of any debenture stock under the powers of this Act there shall be carried to a sinking fund in each year such percentage on such amount of debenture stock and any premiums received thereon as shall be equal to the excess of the average percentage of the dividend or interest paid for that year on all the capital of the Company whether ordinary stock or debenture stock with any premiums received thereon above the rate of interest at which the debenture stock under this Act was issued together with an additional one per centum per annum added thereto for management such sinking fund to be held and applied by the Chamberlain of the City of London as trustee for the purpose of purchasing and holding stock of the Company and of investing the dividends thereon with a view to ultimately extinguishing the capital of the Company or for such other purposes as Parliament may from time to time determine No stock so purchased and held shall confer any right of voting at any meeting of the Company :

Provided that in the event of any debenture stock created under this Act being issued below par the percentage to be carried to the sinking fund shall in respect of such debenture stock so issued below par be calculated on the amount of money raised by such debenture stock instead of on the nominal amount of such debenture stock.

(2) In the event of the undertaking of the Company being acquired by a public authority the allowance of one per centum for management shall not be deemed to have increased the capital value of the undertaking or be the subject of compensation or purchase.

(3) As from the expiration of the current year ending the twenty-fifth day of December one thousand eight hundred and ninety-four section 20 of the Act of 1886 shall be read and have effect as if the amount to be paid to the sinking fund under that section at the expiration of the periods of three years from the issue of debenture stock under that Act from time to time were to be held and applied in manner provided in sub-section (1) of this section.

(4) Whereas the Chamberlain of the City of London as trustee of the sinking fund under section 20 of the Act of 1886 has cancelled the certificates of certain stock of the Company purchased by him out of moneys paid to him by the Company under that section Therefore notwithstanding the cancellation of such certificates all stock so purchased by the said Chamberlain shall be deemed to be and continue subsisting stock of the Company but no dividend or interest shall be deemed to have been or to be due or payable thereon or to have accrued or to accrue in respect thereof from the time of such cancellation up to the twenty-fifth day of December one thousand eight hundred and ninety-four and the

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Company are hereby empowered and required to forthwith issue to the Chamberlain of the City of London as such trustee as aforesaid fresh certificates of the same stock and shall from and after the twenty-fifth day of December one thousand eight hundred and ninety-four pay to the holder of such stock the dividend or interest to accrue on such stock as from such twenty-fifth day of December one thousand eight hundred and ninety-four and the Chamberlain shall hold and apply such stock and interest as provided by section 20 of the Act of 1886 as amended by this Act.

Allocation of capital.

21. The moneys raised under the powers of this Act shall be applicable in not exceeding the under-mentioned respective amounts to the under-mentioned purposes but only so far as such purposes may be of a nature or character to which capital is properly applicable (that is to say) One hundred and forty-five thousand pounds for or in connexion with the Reservoirs No. 1 and No. 2 and the extension of the Racecourse Reservoir and the Conduits No. 1 No. 2 and No. 3 by this Act respectively authorised Forty-five thousand pounds for additional filter beds or works for improved filtration of the water supplied by the Company Eighty thousand pounds for additional engine power and machinery One hundred and forty thousand pounds for extension of mains and services within seven years from the passing of this Act Forty thousand pounds for the extension of high-service reservoirs for improving the means of constant supply in the district of supply of the Company beyond the Metropolis and the balance may be applied to any of the above purposes or to the general purposes of the undertaking of the Company to which capital is properly applicable.

Provisions as to lands at Low Leyton and line of rails thereon.

22. With regard to the lands herein-before referred to in the parish of Low Leyton otherwise Saint Mary Leyton in the county of Essex and numbered 226 on the $\frac{1}{2500}$ Ordnance map of the said parish acquired by the Company and the line of rails laid down by the Company upon the said lands and across the bridleway or footpath coloured yellow on the signed plan the following provisions shall have effect:—

(1) The Company may maintain and from time to time may repair and renew and may use the line of rails already laid down by the Company over the said lands and across the said bridleway or footpath;

(2) The Company shall not for or in connexion with the said line of rails acquire the freehold of the soil where the said bridleway or footpath is crossed by the said line of rails but for the purpose of maintaining such line of rails shall have a perpetual easement over the said bridleway or footpath notwithstanding

any lammas or common rights over the same or over any of the lands coloured blue on the signed plan;

(3) The right of the public to the use of the said bridleway or footpath with horses or on foot shall not be limited or affected or interfered with by anything in or done under the authority of this Act excepting so far as such right may be necessarily interfered with or affected by the maintenance and user of the said line of rails in accordance with the provisions of this Act;

(4) The Company may from time to time run over and use the line of rails by this Act authorised to be maintained as aforesaid with engines carriages trucks and horses in connexion with any other line or lines of rails which the Company may from time to time lay down on the adjoining lands coloured blue on the signed plan the Company being hereby exonerated from liability to indictment or any other proceeding or to make compensation to any other person or persons other than as herein-after provided by reason of the interference with any public or private rights by reason of the laying down maintaining or user by them of the said line of rails over such lands or across the bridleway or footpath herein-before mentioned;

(5) If the Company run over and use the line of rails by this Act authorised to be maintained as aforesaid across the said bridleway or footpath with engines or locomotives propelled by steam or any other than animal power they shall be bound to work the same in strict accordance with the rules and regulations set out in the third section of the Locomotives Act 1865 and under the penalties in that Act provided as if such line of rails were in or on a turnpike road or public highway and shall not use steam-engines over the said bridleway or footpath except between the hours of six in the afternoon and nine in the forenoon between the thirty-first day of October in any year and the first day of April next following and between the hours of eight in the afternoon and nine in the forenoon between the first day of April and the thirty-first day of October in any year;

(6) The sum of one hundred pounds which the Company have already paid to the surveyor of the Leyton Local Board in terms of the scheduled agreement shall be expended by the said surveyor under the direction and with the approval of the said Board in the improvement and raising of the said bridleway and footpath and in further consideration of the power by this Act conferred upon the Company to maintain and use the line of rails aforesaid the Company shall in the event of Hackney Marshes being by Act of Parliament or otherwise declared to be

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an open space under any scheme to be approved by Parliament consent to a bridge not exceeding 20 feet in width being thrown across the river Lee at any point between the points "A" and "B" on the signed plan and for that purpose shall and will grant free of cost to the said local board or to any other corporation public body person or persons interested in the construction of such bridge for the public use and proposing to construct the same an easement in and over so much of the lands belonging to the Company on either side of the said river as may be reasonably necessary for such purpose;

(7) The High Court may at any time after the passing of this Act order that the sum of nine hundred and thirty-five pounds deposited and standing to the credit of the account in the scheduled agreement mentioned with any dividends thereon or cash standing to the credit aforesaid shall be repaid to the Company or to such person or persons as the Company shall appoint in that behalf;

(8) The scheduled agreement is hereby confirmed and made binding upon the Company and upon the commoners and upon Benjamin Biggs Henry Edward Lester Tom Simonds James Gallaher and Christopher George Musgrave therein named and so far as the provisions thereof not embodied in this Act remain to be performed shall be carried into effect;

(9) Nothing in this section shall prejudice or affect any lammas or commonable rights to which any of the lands referred to in this section are subject except so far as the same are expressly affected by the provisions of this section;

(10) Nothing in this section shall prejudice or affect the estate interests or rights of the Company in respect of the lands coloured blue on the signed plan.

For protection of West Ham.

23. The provisions of the Metropolis Water Act 1871 relating to constant supply shall apply within the Company's limits for the supply of water within the borough of West Ham as if that borough had been included within the limits prescribed by section 4 of the said Act Provided that for the purpose of such application the mayor aldermen and burgesses of the said borough shall in the said borough be the metropolitan authority in those provisions mentioned.

Repeal of section 47 of Act of 1853 and substitution therefor of section 89 of the Companies Clauses Consolidation Act 1845.

24. Section 47 of the Act of 1853 is hereby repealed and from and after the passing of this Act occasional vacancies in the office of directors of the Company arising from any of the causes mentioned in section 89 of the Companies Clauses Consolidation Act 1845 shall be supplied in manner provided by and subject to the enactments of that section.

Agreements for exchange of lands for new thoroughfare.

25. The Company on the one hand and the Essex County Council the Walthamstow Local Board or either of them on the other hand may from time to time enter into and carry into effect agreements for the exchange of lands within the aforesaid parish of Walthamstow with the view of enabling the said Council and Board to construct a new public thoroughfare from Walthamstow to Clapton.

Provision as to general Acts.

26. Nothing in this Act contained shall exempt the Company from the provisions of the Metropolis Water Act 1852 the Metropolis Water Act 1871 or any other general Act relating to the supply of water to the Metropolis or the suburbs thereof now in force or which may hereafter pass during this or any future session of Parliament.

Costs of Act.

27. 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.

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The SCHEDULE referred to in the foregoing Act.

The 13th and 14th clauses of the East London Waterworks Bill of this session to be withdrawn and in substitution therefor clauses to be inserted so as to provide for the following points:—

1. That the following provisions shall not prejudice or affect the lammas or commonable rights to which the land herein-after mentioned is subject such lammas or commonable rights being reserved except so far as the same are expressly affected by the provisions of this section;
2. That the Company notwithstanding the lammas rights over the land coloured blue shown on the accompanying plan to be deposited and signed by the chairman of the Committee to whom this Bill may be referred may on such freehold land lay down in manner shown on the said plan and maintain a single line of rails as shown acquiring for that purpose a perpetual easement in so far as such lammas or commonable rights are concerned and so that the public use of the bridleway or footpath shown by the yellow line on such plan may not be interfered with except so far as it may be interfered with by the construction and user of the said line;
3. The Company may from time to time run over and use the said line authorised to be laid down and maintained with engines carriages trucks and horses in connexion with any other line or lines of rails for the time being of the Company on adjoining lands without being liable to indictment or any other proceeding or to make compensation to any person or persons (other than as is herein provided) by reason of interference with any public or private rights over or affecting the said land or the said bridleway or footpath herein-before mentioned;
4. That if the Company should run over and use such line with engines or locomotives propelled by steam or any other than animal power they shall be bound to work the same in strict accordance with the rules and regulations set out in the 3rd section of the Locomotives Act 1865 and under the penalties in that Act provided as if such line of rails were in or on a turnpike road or public highway and shall make use of steam engines only before 9 a.m. and after 6 p.m. from October to April and after 8 p.m. from April to October;
5. That as a consideration for the above the Company will pay to the surveyor of the Leyton Local Board a sum of 100*l.* to be expended under the direction of and to the approval of that Board in the improvement and raising of the said public bridleway and footpath shown by the said yellow line on such plan and will in the event of the Hackney Marshes being by Act of Parliament or otherwise declared to be an open space for which a scheme is or may be provided raise no objection to a bridge not exceeding 20 feet in width being thrown across the river Lea at any point between the points (*a*) and (*b*) on the said plan and for that purpose will grant without cost to the local board or to any other corporation public body person or persons interested in the construction of such bridge for public use and proposing to construct the same an easement in so much of the land belonging to the Company on either side of the said river as may be reasonably necessary for the purpose;

6. That the Company shall be entitled without notice to or the assent of the persons named in the account or the commoners or any other persons interested in or having or claiming rights over the land mentioned in the said account and without service upon any person to receive out of the Chancery Division of Her Majesty's High Court of Justice the sum of 935*l.* paid in by them to and standing to the credit of the following account :— "Ex parte the East London Waterworks Company The account of Benjamin Biggs Henry Edward Lester Tom Simonds James Gallaher and Christopher George Musgrave in respect of lands in the parish of Leyton in the county of Essex over which lammas or common rights exist";

7. That the foregoing provisions shall not prejudice or affect the rights of the Company in respect of their freehold land coloured blue.

The Company in consideration of the above and with the assent of C. G. Musgrave and Henry Humphreys to these provisions shall forthwith discontinue the action instituted by them against the said C. G. Musgrave and Henry Humphreys and apply for an order to stay all further proceedings and pay to Mr. A. A. Timbrell of 24 Martin's Lane Cannon Street such sum as will cover (1) all proper costs incurred or to be incurred by the said C. G. Musgrave and Henry Humphreys in such action and (2) all costs incurred to the date hereof of the petition of the owners &c. of lammas rights against the Bill or of and incident to their opposition thereto as may be agreed including in such last-mentioned costs the expenses of the defence committee or failing agreement the costs of the action to be taxed as between solicitor and client and costs of the said petition and opposition to be taxed by the proper officer of the house.

The said C. G. Musgrave for himself and the said C. G. Musgrave and Henry Humphreys undertake that so far as necessary they will endeavour to procure the signatures of the said B. Biggs H. E. Lester T. Simonds and J. Gallaher to any order or other document which may require their signature before this sum can be paid out of Court to the Company.

If by reason of the Bill not receiving the assent of Parliament this session the above terms cannot be carried out in manner before provided the parties hereto will use their best endeavours to carry out the said terms with all possible expedition in such manner as the same may admit of being carried out so as legally to give full and complete effect thereto and bind all parties but without binding themselves to incur any expenditure except such as they may approve.

16th March 1893.

Bircham & Co. For the East London Waterworks Company.	A. A. Timbrell For Musgrave Humphreys and the Commoners. 16/3/93.

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