CHAPTER clxxxv.

An Act to empower the London County Council to make street improvements to purchase lands and to acquire the garden in Lincoln's Inn Fields to extend the time limited for certain authorised improvements and for other purposes. [17th August 1894.]

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WHEREAS it is expedient to confer on the London County Council (hereinafter called "the Council") powers to make the improvements hereinafter described:

And whereas the Council require sites or enlargements of sites for the purposes of the Metropolitan Fire Brigade Act 1865 for the purposes of a weights and measures office and for the purposes of the establishment of coroners courts and mortuaries and it is expedient that they should be empowered to purchase the lands herein-after described for those purposes respectively: 28 & 29 Vict. cap. 90.

And whereas the time limited by the Thames Tunnel (Blackwall) Act 1887 and the Thames Tunnel (Blackwall) Act 1888 for the completion of the works thereby authorised will expire on the eighth day of August one thousand eight hundred and ninety-four and it is expedient that the Council should have further time for the completion thereof: 50 & 51 Vict. cap. clxxii. 51 & 52 Vict. cap. lvii.

And whereas it is also expedient that the powers of the London Council (General Powers) Act 1891 for the compulsory purchase of lands for the purposes of— 54 & 55 Vict. cap. ccvi.

(*a*) Isle of Dogs Bridges;

(*b*) New street from Evelyn Street to Creek Road (Deptford);

(*c*) Widening of Saint George's Place Knightsbridge;

thereby authorised and for the completion of those works should be extended:

And whereas it is expedient that provision should be made as herein-after set forth with regard to contributions by local authorities to the improvements by this Act authorised:

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And whereas by section 4 of the London Council (General Powers) Act 1891 the Council were empowered amongst other things to make the said new street from Evelyn Street to Creek Road (Deptford) and by section 58 of the said Act the Greenwich District Board of Works were required to contribute towards the costs and expenses of the Council in relation to the making of such new street one-fourth of the costs and expenses thereof:

And whereas the making of the said new street will not be of equal benefit to the whole of the district under the management of the said district board of works and the said board are desirous and it is expedient that they should be empowered to charge and levy the amount of such contribution as herein-after provided:

Lincoln's Inn Fields.

And whereas by certain articles of agreement bearing date the nineteenth day of June one thousand six hundred and fifty-seven made between Sir William Cowper of Ratling Court in the county of Kent Baronet Robert Henley of the Middle Temple London Esquire and James Cowper of Lincoln's Inn in the county of Middlesex Esquire of the one part Sir Lislebon Long Knight (then Recorder of the City of London) Nicholas Franklyn Thomas Williams William Prynne Richard Raynsford Robert Ashton Thomas Darcy Thomas Beverley Edward Harris and William Glascock Esquires all of them then Masters of the Bench of the said Society of Lincoln's Inn and persons nominated in trust for the said society of the other part after reciting that the said Sir William Cowper Robert Henley and James Cowper were interested in the Inheritance of "Cup Field" in an indenture to the said articles annexed mentioned and had designed certain rows or ranges of buildings therein described and also reciting that the said Society of Lincoln's Inn were interested in the benefit and advantage of the prospect and air of the said field but were willing that the said Sir William Cowper Robert Henley and James Cowper might proceed in their building with such caution and provision (inter alia) for levelling and plaining the said field and casting the same into walks and for prevention of any future building thereupon as in the said articles the indenture thereunto annexed and an indenture of demise bearing even date therewith was expressed it was covenanted and agreed by and between all the parties thereto that the two rows or ranges intended to be built as aforesaid should be constructed as therein set forth and that (inter alia) the rest of the said field should within two years then next be levelled plained and cast into grass plots and gravel walks of convenient breadth railed all along on each

side and that for the future no building other than the said two rows or ranges should be erected upon the said field or any part thereof (except one water house in the middle of the said field):

And whereas by indenture of feoffment with livery and seisin thereon endorsed bearing even date with the said recited articles and made between the same parties it is witnessed that the said Sir William Cowper Robert Henley and James Cowper (to the intent that the rest and residue of the said field might be kept open for the air and not built upon further than as by the said articles was agreed) in consideration of five shillings did grant bargain sell infeoff and confirm unto the said Sir Lislebon Long and the said other trustees and the survivors and survivor of them and the heirs of such survivor all the rest residue or body of the said field therein called Copfield alias Cupfield containing by estimation from the east side of the said field lying next Lincoln's Inn wall aforesaid thirty pole be the same more or less and from the north side of the said field unto the south side thereof thirty and three pole more or less by agreement according to the said articles not to be built upon to hold unto the said trustees and the survivors and survivor of them and the heirs of such survivor to the use of them and their heirs for ever upon trust that they should presently after the sealing and delivery of the said indenture make a lease of the said premises to the said Sir William Cowper Robert Henley and James Cowper their executors administrators and assigns for the term of 900 years without impeachment of waste (other than the erecting new buildings) at one shilling per annum rent with a covenant amongst others on the part of the said Sir William Cowper Robert Henley and James Cowper that the said premisses should at all times thereafter remain and continue under the covenants limitations trusts and agreements therein and herein-before mentioned:

And whereas in and by one other indenture bearing date the twentieth day of the same June one thousand six hundred and fifty-seven the said Sir Lislebon Long and other the trustees aforesaid did make a lease of the said field to the said Sir William Cowper Robert Henley and James Cowper for the said term of nine hundred years without impeachment of waste with a proviso to be void and for the said trustees re-entry in case of any building on the said field by the said Sir William Cowper Robert Henley and James Cowper:

And whereas in pursuance of the said agreements the said Sir William Cowper Robert Henley and James Cowper proceeded in and finished their said two rows of buildings on a certain field or parcel of

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ground called Pursfield and afterwards railed in the said field or parcel of ground called Copfield alias Cupfield and at the extent of the said field westward caused posts to be set up and rails to be made cross from south to north bounding the same from the said field called Pursfield which said two fields called Copfield alias Cupfield and Pursfield (as stated in the Act next herein-after recited) contained the buildings and large square piece or parcel of ground now and for some years then past called Great Lincoln's Inn Fields:

8 Geo. 2. cap. xxvi.

And whereas an Act was passed in the eighth year of King George the Second chapter twenty-six entitled "An Act to enable "the present and future proprietors and inhabitants of the houses "in Lincoln's Inn Fields in the county of Middlesex to make a rate "on themselves for raising money sufficient to inclose clean and "adorn the said fields" wherein it is recited that the said great square now called Lincoln's Inn Fields situate in the several parishes of Saint Giles in the Fields Saint Clement Danes and Saint Andrew Holbourn in the county of Middlesex had for some years past lain waste and in great disorder whereby the same had become a receptacle for rubbish dirt and nastiness of all sorts brought thither and laid not only by the inhabitants of the said fields but many others which had not been removed or taken away by the several scavengers of the parishes wherein the said fields are situate as aforesaid but also for want of proper fences to inclose the same great mischiefs had happened to many of His Majesty's subjects going about their lawful occasions several of whom had been killed and others maimed and hurt by horses which had been from time to time aired and rode in the said fields and by reason of the said fields being kept open many wicked and disorderly persons had frequented and met together therein using unlawful sports and games and drawing in and enticing young persons into gaming idleness and other vicious courses and vagabonds common beggars and other disorderly persons resorted therein where many robberies assaults outrages and enormities had been and continually were committed:

And it was by the said Act also recited that the south west and north parts of the said fields were incompassed with houses many of which were inhabited by the owners and proprietors thereof who with the other inhabitants could not go to and from their respective habitations in the night season without danger and therefore were desirous to prevent any mischiefs for the future and to enclose clean repair and beautify the said fields in a graceful manner and were willing and desirous that an adequate contribution might for that purpose be raised by and amongst themselves:

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And it was provided by the said Act that it should be lawful for the proprietors and inhabitants of the said houses and fields to elect and choose certain of the said proprietors and inhabitants to be trustees who or any five or more of whom should have by virtue of that Act power to direct how and in what manner the said fields should be enclosed from all horses coaches carts and carriages and from time to time kept and preserved from annoyances as also what ways or passages should be made or left open for passengers coaches horses carts and carriages as they might think fit and by the said Act powers are conferred upon the trustees to take cart and carry away soil or earth within the said fields and to bring in gravel stone or other materials and to prevent annoyances by filth dung ashes rubbish or otherwise laid upon the said fields and to put down remove and abate encroachments on the same:

And powers are also conferred on the trustees by the said Act to prevent offences against the provisions thereof and to take proceedings for that purpose:

And whereas it is provided by the said Act that in order that the trustees may be enabled to enclose clean repair or otherwise adorn and beautify the said great square and for other purposes there should be raised levied and collected by the trustees rates not exceeding in any one year two shillings and sixpence in the pound for any of the houses therein specified of which rates the tenants or occupiers are to bear and pay seven-tenth parts and the landlord or owner of the house for the time being is to bear and pay three-tenth parts:

And whereas it is expedient that provision should be made for the use and enjoyment of the said garden by the public subject to and in accordance with the provisions of this Act:

And whereas the Council are willing to undertake the management and maintenance of the said garden for the use and enjoyment of the public and that the liability of the owners and occupiers to pay the said rates under the said Act should cease:

And whereas it is expedient that in consideration of the provisions herein-after contained for the abolition or concession of the said special rates the said garden should be transferred to and vested in the Council in manner and for the purposes in this Act set forth:

And whereas the Council have caused to be deposited with the clerks of the peace for the counties of London and Middlesex respectively plans and sections describing the line and levels of the works by this Act authorised and the lands which may be taken for the purposes thereof and plans of the lands which may be

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taken compulsorily under the powers of this Act and a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands and such plans sections and book of reference are respectively referred to in this Act as the deposited plans sections and book of reference:

And whereas estimates have been prepared by the Council as to the amount which they will require to expend out of borrowed money or money raised by the creation and issue of stock for the purposes of this Act and such estimates are as follows:—

	£
Highgate Archway improvement - -	28,000
Wood Lane (Hammersmith) improvement -	5,000
Purchase of lands - - - -	60,000

And whereas the purposes aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

PART I.

Introductory.

Short title.

1. This Act may be cited as the London County Council (Improvements) Act 1894.

Interpretation of terms.

2. In this Act the following words and expressions have the several meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say):—

"The Council" means the London County Council;

"The improvements" means the Highgate Archway improvement and the Wood Lane (Hammersmith) improvement by this Act authorised;

"Street" has the meaning assigned to that term in the Metropolis Management Act 1855 and the Acts amending the same;

When any matter shall require to be done before justices the expression "two justices" shall be understood to mean two justices acting together in petty sessions or a metropolitan police magistrate sitting alone;

"Lessee" includes any person holding a sub-lease;

And the several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned have in this Act the same respective meanings unless there be in the subject or context something repugnant to or inconsistent with such construction:

Provided that for the purposes of this Act the expressions "the promoters of the undertaking" and "the company" in the Lands Clauses Acts shall be construed to mean the Council and that for the purposes of this Act the expression "superior courts" or "court of competent jurisdiction" or any other like expression in this Act or any Act wholly or partly incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts are (except where expressly varied by this Act) incorporated with and form part of this Act.

PART II.

Improvements.

Power to Council to make Highgate Archway improvement.

4. Subject to the provisions of this Act in the lines and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections the Council may alter and reconstruct the bridge known as Highgate Archway and the approaches thereto carrying Hornsey Lane over the Archway Road in the parishes of Saint Mary Islington in the county of London and Saint Mary Hornsey in the county of Middlesex and in connexion with this alteration widen Hornsey Lane and widen and improve Archway Road between a point in the said parish of Saint Mary Islington about four chains to the southward of the said bridge and a point in the said parish of Saint Mary Hornsey about three chains to the northward of the said bridge.

The works authorised by this section are in this Act called "the Highgate Archway improvement."

The Highgate Archway improvement shall be carried out by the Council according to plans signed by James Alexander Campbell the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred.

Power to Council to widen Wood Lane Hammersmith.

5. Subject to the provisions of this Act in the line and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections the Council may

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widen Wood Lane in the parish of Saint Peter and Saint Paul Hammersmith at the southern end where it joins the Uxbridge Road the widening to extend from the Uxbridge Road northward for a distance of three chains or thereabouts to the wider portion of the said Wood Lane.

The works described in this section are in this Act included in the term "Wood Lane (Hammersmith) improvement."

Power to take lands.

6. Subject to the provisions of this Act the Council may enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited book of reference which they may require for the purposes of the improvements and for providing space for the erection of houses and buildings adjoining or near to the improvements.

Purchase of land for various purposes.

7. Subject to the provisions of this Act the Council may purchase and take the lands herein-after described so far as they are delineated on the deposited plans and described in the deposited book of reference viz.:—

For the purposes of the Metropolitan Fire Brigade Act 1865—

Land with the buildings thereon in the parish of Saint Marylebone and county of London on the north-eastern side of Edgware Road being the premises numbered 492 494 496 and 498 in Edgware Road and Nos. 12 14 16 18 and 20 Lyons Mews;

Land with the buildings thereon in the parish of Saint Mary Battersea near the Battersea Park Road situate adjoining and to the north or north-westward of the existing Fire Brigade station in Simpson Street Battersea Park Road and known as Rose Cottage and Rose Villa:

For the purposes of weights and measures office (Clerkenwell)—

Land with the houses and buildings thereon being the premises known as Nos. 39 41 and 43 Mount Pleasant and No. 1 Warner Street in the parish of Saint James and Saint John Clerkenwell in the county of London situate at the angle formed by the junction of Warner Street with Mount Pleasant:

For the purposes of the establishment of coroners courts and mortuaries—

Land in the parish of Saint Matthew Bethnal Green and county of London situate on the south-east side of Virginia Road being the premises numbered 4 6 8 10 and 12 in Virginia Road;

Land in the parish of Saint Peter and Saint Paul Hammersmith and county of London situate opposite the northern end of Mardale Street Goldhawk Road;

Land and premises in the parish of Paddington situate at the northern end of Manor Place in rear of the houses on the south side of Cuthbert Street and on the western side of Hall Place lying to the east of Paddington churchyard and known as Manor House Laundry;

Land and premises in the parish of Paddington situate on the southern side of Cuthbert Street adjoining the north-east corner of Paddington churchyard and known as Nos. 9 10 11 and 12 Cuthbert Street;

Land and premises in the parish of Saint Mary Abbott Kensington situate on the north side of Church Court immediately in rear of the town hall bounded on the north and west by Kensington parish churchyard on the south by Church Court and on the east by Kensington National Schools and known as Nos. 9 and 10 Church Court.

Agreement with the Corporation of London as to purchase of land for Fire Brigade station.

8. And whereas an agreement dated the nineteenth day of December one thousand eight hundred and ninety-three has been entered into between John Alexander Brand comptroller of the chamber of the city of London as agent for and on behalf of the mayor and commonalty and citizens of the city of London (herein-after called "the Corporation") and the Council for the sale by the Corporation of a piece of land upon the Thames Embankment to the Council for the price or consideration therein named Be it enacted that it shall be lawful for the Corporation to sell and convey to the Council for such consideration as aforesaid all the estate and interest of the Corporation in the said land upon the Thames Embankment.

The purchase money shall be paid into the bank under the provisions of the Lands Clauses Acts.

Power to certain persons to grant easements &c. by agreement.

9. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of the Lands Clauses Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which other than the parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and for the purposes of this Act 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 easements rights and privileges as aforesaid and to any grant of the same respectively.

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Errors and omissions in plans &c. to be corrected by magistrate who shall certify the same.

10. If any omission mis-statement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands on the deposited plans or in the deposited book of reference the Council may after ten days' notice to the owners lessees and occupiers of the lands affected by such proposed correction apply to a metropolitan police magistrate for the correction thereof and if it shall appear to such magistrate that such omission mis-statement or erroneous description arose from mistake he shall certify the same accordingly and he shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace for the county in which the lands affected thereby shall be situate and shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon such plans or book of reference shall be deemed to be corrected according to such certificate and the Council may take the lands in accordance with such certificate.

Power to Council to enter upon property for survey and valuation.

11. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours and afterwards from time to time twelve hours previous notice enter upon and into the lands and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Costs of arbitration &c. in certain cases.

12. The court or person to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Council by the claimant giving sufficient particulars and in sufficient time to enable the Council to make a proper offer and if they or he shall be of opinion that no such statement giving sufficient particulars shall have been delivered one half of the costs of the arbitration or as the case may be one half of the costs of the proceedings before the sheriff (including the costs of summoning empannelling and returning the jury and of taking the inquiry and in recording the verdict and judgment therein) shall be defrayed by the person with whom the Council shall have such question and

the remaining half shall be defrayed by the Council anything in the Lands Clauses Consolidation Act 1845 to the contrary notwithstanding Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Council to amend the statement in writing of the claim delivered by him to the Council in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Council if they object to the amendment and such amendment shall be subject to such terms enabling the Council to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Power to stop up ways temporarily for the purposes of improvements.

13. The Council for the purposes and during the making of the improvements may in or upon the lands shown in connexion therewith upon the deposited plans stop up or cause to be stopped up temporarily all or any part of any carriage-way or footway which they shall think necessary for such purposes to be stopped up and may from time to time put or cause to be put up sufficient palisades hoardings bars posts and other erections and may construct temporary works for keeping any such carriage-way and footway open for traffic and may make from time to time such orders for regulating the traffic as to them shall seem proper.

Streets may be raised or lowered.

14. Subject to the provisions of this Act the Council may for the purposes of and in connexion with the improvements alter the line or level of any of the streets and places described on the deposited plans or sections as intended to be diverted raised or lowered in the manner shown on such plans or sections.

Power to deviate from levels &c.

15. In making any of the works for or connected with the improvements the Council may subject to the provisions of this Act deviate to any extent from the line thereof within the limits of deviation defined on the deposited plans and the Council may subject to the provisions of this Act deviate to any extent from the levels thereof defined on the deposited sections not exceeding three feet from the levels thereof as defined on the said sections.

Power to make subsidiary works.

16. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Council in connexion with and for the purposes of the works by this Act authorised and

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as part of the works to be executed under the powers of this Act may make junctions and communications with any streets interfered with by or contiguous to the works and may divert widen or alter the line or level of any street for the purpose of connecting the same with the said works And the Council may alter and interfere with any drain or sewer providing a proper substitute before interrupting the flow of sewage in any such drain or sewer and they may execute any works for the protection of any adjoining land or buildings Any lamp-posts paving metalling or materials in on or under any street so altered or diverted and any materials of any drain or sewer so altered shall vest in the Council and all substituted drains and sewers shall be under the same jurisdiction care management and direction as the existing drains and sewers for which they may be so substituted:

Provided that fourteen days before commencing to alter or interfere with any drain or sewer under the jurisdiction of the Hornsey Local Board the Council shall deliver to that local board plans sections and drawings of any temporary or permanent drain or sewer proposed to be substituted therefor and if at the expiration of fourteen days from such delivery the plans sections and drawings be not approved by the local board a difference shall be deemed to have arisen which shall unless otherwise agreed be settled by an engineer to be appointed by the President for the time being of the Institute of Civil Engineers on the application of the Council or the local board and every such temporary or permanent drain or sewer shall be constructed by the Council in accordance with the plans sections or drawings so approved or settled and the costs of any reference under this section including the costs of the referee shall be in his discretion.

Alteration of position of water gas and other pipes.

17. The Council may for any purpose in connexion with the improvements upon the lands acquired by them under the powers of this Act and also in any street within the limits of deviation defined on the deposited plans raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building and also any main or other pipe laid down or used by any company or person for carrying a supply of water or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic or other purposes and any pipe tube wire or apparatus laid down or placed for supplying electricity and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit to any company or person and making reasonable compensation to any company or person who suffers damage by any

such alteration Provided always that before the Council alter the position of any main or other pipe laid down or used by any such company or person they shall (except in cases of emergency) give to the company or person to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done under the superintendence (at the expense of the Council) of the company or person to whom such pipe belongs unless such company or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Council shall execute such work to the reasonable satisfaction of the engineer of such company or person Provided also that the Council shall not cause any street to be lowered or raised nor the position of any water or gas main or other pipe to be altered so as to leave over such main or other pipe in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Council shall in such case protect the same pipes from frost or injury by artificial covering to the satisfaction of the engineer of such company or person or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Council in such case provide special means of access to the same to the satisfaction of the engineer of such company or person :

If any difference arise between the Council or their engineer and any such company or person or their or his engineer touching the amount of any costs expenses or charges under the provisions of this Act to be paid by the Council to any such company or person or touching any work matter or thing with reference to such mains or other pipes under such provisions to be done or executed by the Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the engineer of the Council and of any such company or person respectively or failing agreement by such engineer as shall on the application of the engineer either of the Council or of any such company or person be named by the President for the time being of the Institute of Civil Engineers whose decision shall be final and binding and the expenses of the reference shall be borne as the referee may direct :

Provided also that the Council shall not raise sink or otherwise alter the position of any pipe tube wire or apparatus laid down for telegraphic or other purposes and belonging to the Postmaster-

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General except in accordance with and subject to the provisions of the Telegraph Act 1878:

Provided always that nothing in this section shall extend to prejudice or affect any of the provisions for the protection of any undertakers authorised to supply electrical energy contained in any special Act or any Provisional Order confirmed by Act of Parliament.

For the protection of the Gas Light and Coke Company.

18. If within seven days after a notice under the preceding section of this Act given to the Gas Light and Coke Company that company so elect the said company shall themselves execute all such alterations to their mains and pipes in Archway Road and Hornsey Lane as may from time to time be necessary provided always that such alterations shall be carried out in accordance with the directions and to the satisfaction of the chief engineer of the Council and the said company shall be liable in respect of any loss or damage due to or occasioned by the works so executed by themselves as aforesaid but not otherwise.

For the protection of the New River Company.

19. For the benefit and protection of the Governor and Company of the New River brought from Chadwell and Amwell to London (herein-after called "the New River Company") the following provisions shall have effect:—

(1.) The Council shall from time to time and at all times hereafter indemnify and save harmless the New River Company against all loss costs charges damages and expenses whether immediate or consequential which they may sustain incur or be put unto by reason of any injury which may at any time be caused—

(*a.*) To their reservoir (herein-after referred to as "the "Hornsey Lane reservoir") which abuts upon the north side of Hornsey Lane and towards the east on Tile Kiln Lane;

(*b.*) To the engine house (herein-after referred to as "the "Hornsey Lane engine house") which abuts upon the north side of Hornsey Lane and towards the west on Tile Kiln Lane; and

(*c.*) Their mains and pipes now or hereafter to be laid in or under Hornsey Lane or Tile Kiln Lane—

by reason of any works or operations of the Council for or in connexion with the execution of the Highgate Archway improvement or the taking using or interfering with any land by the Council for the purposes of such improvement:

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And if at any time after the Council first commence the execution of that improvement or first take use or interfere with any such lands as aforesaid and before the expiration of five years from the completion of the said improvement any injury to the Hornsey Lane reservoir or Hornsey Lane engine house shall actually occur such injury shall be conclusively deemed to have been caused by the works and operations of the Council unless the Council prove that such injury has not been caused by such works or operations but by some other specified cause :

(2.)—(*a.*) Before the Council commence the execution of the Highgate Archway improvement they shall (unless the New River Company otherwise agree) provide within the limits of deviation for use by the New River Company as a temporary auxiliary means of supply during the progress and until the completion of the works of such improvement a twenty-inch main (herein-after referred to as the "temporary main") with all necessary and convenient stop-cocks valves fittings and connexions and shall carry such temporary main over the Archway Road by such means as will render the same entirely independent of the existing archway and shall connect such temporary main with the New River Company's two existing twenty-inch mains in Hornsey Lane on each side of the archway and shall effectually support and maintain and protect from frost the temporary main during the progress of the works of or connected with the Highgate Archway improvement and until the completion of those works and shall immediately after such completion disconnect the temporary main from the New River Company's existing twenty-inch mains aforesaid and make good the latter and shall also make good the roadway and footpaths of Hornsey Lane which may be thereby disturbed to the satisfaction of the road authority or authorities :

(*b.*) All works matters and things to be executed and done under this sub-section (2) shall be executed and done in accordance with the plans sections and working drawings previously submitted to and approved by the engineer of the New River Company as herein-after provided Provided always that in the execution of the works of providing the temporary main the Council shall not cut into disturb or otherwise interfere with the slope or bank on the western side of the Archway Road or any buildings or land belonging to the New River Company more than shall be absolutely necessary for the

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proper execution of such works The Council shall also during the progress and until the completion of the improvement works support by adequate means the existing mains and pipes and apparatus connected therewith (hereinafter referred to collectively as "water apparatus") of the said Company in such manner as may be necessary and shall lay or place under the existing water apparatus timbering cement concrete or other substances and any difference as to the necessity of such support laying or placing timbering cement concrete or other substances shall be settled as herein-after provided and all works matters and things which by this sub-section (2) are required to be executed and done shall be executed and done by and at the expense of the Council but to the satisfaction and under the superintendence of the engineer of the New River Company and the reasonable costs charges and expenses of such superintendence shall be paid by the Council and may be recovered by the New River Company against the Council in any court of competent jurisdiction :

(*c.*) Before commencing any works required to be done or executed under this sub-section (2) the Council shall deliver to the New River Company plans and sections and a description of such works as proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the New River Company at least twenty-one days before the commencement of any such works :

(*d.*) If it should appear to the New River Company either from an inspection of the said plans sections and descriptions or at any time during the progress of the works that such works or the proposed manner of executing the same will interfere with or endanger any of their water apparatus or will impede the supply by the New River Company of water the New River Company may give notice thereof to the Council and may object to all or any of such works being proceeded with and thereupon the Council shall take all necessary precautions and shall execute and do all such works as may be necessary or reasonably expedient for preventing such interference or danger :

(*e.*) In the event of such plans sections and descriptions so delivered to the New River Company as aforesaid not being objected to within twenty-one days after the delivery thereof the said works may be commenced by the Council and shall be executed in strict accordance with such plans sections and descriptions.

(*f.*) The New River Company may if they deem fit employ watchmen or inspectors to watch and inspect any works to be done or executed by the Council under this sub-section (2) and the reasonable wages of such watchmen or inspectors—not exceeding two in number—shall be borne by the Council and be paid by them to the New River Company to be recovered by the New River Company against the Council in any court of competent jurisdiction :

(*g.*) If any difference shall arise with respect to any matter under this section between the Council and the New River Company or their respective engineers or concerning any plans sections or descriptions to be delivered to the New River Company under the foregoing provisions of this Act the matter in difference shall be referred to and settled by an arbitrator to be mutually agreed upon or failing agreement by an arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the cost of such arbitration shall be borne and paid as the arbitrator shall direct :

(3.) Notwithstanding anything in this Act contained it shall not be lawful for the Council except so far as may be absolutely necessary for the purpose of altering and reconstructing the Highgate Archway and the approaches thereto carrying Hornsey Lane over the Archway Road or for the purpose of widening Hornsey Lane to enter upon purchase take or use unless with the consent in writing of the New River Company under their common seal any of the lands belonging to the New River Company or to cut into or otherwise interfere with the retaining wall on such lands or any of the footings or buttresses thereof :

Provided that the Council may require the New River Company to grant to them a right of way over and along the strip of land four feet in width (to be retained by the New River Company) immediately adjoining the northern face on the western side of the archway when reconstructed for the purpose of inspecting and repairing such archway but the Council shall before exercising such right in each case (except of sudden emergency) give to the New River Company three clear days' notice of their intention so to do :

(4.) Nothing in this section shall limit or restrict any obligation or liability of the Council in respect of any matter or thing not herein-before specifically provided for.

Council empowered to

20. Subject to the provisions of this Act the Council may cause such parts of the improvements to be laid out for carriage-way and

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lay out carriage-ways.

such parts thereof for footway as they may think proper and may upon the lands acquired by or vested in them under the powers of this Act construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of the improvements within the limits of deviation defined on the deposited plans and in laying out or forming such carriage-way and footway and works the Council may in addition to the powers by this Act conferred exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only as are imposed upon any vestry or district board of works in London when they stop up temporarily any thoroughfare or any part thereof in the repairing or repaving of any street.

Directing how the pavement shall be laid and made.

21. The Council shall for the purposes of and in connexion with the improvements in a substantial and workmanlike manner fill or cause to be filled in all and every the vaults cellars and open places over which it may be necessary to new pave (except such as are capable of being used as cellars vaults or areas) with good sound hard brick or other rubbish to be well rammed down to prevent the ground from giving way and shall well and effectually pave over all the said ground with a sufficient quantity of materials of proper quality and dimensions and shall in like manner erect and build any underground arches which they may think necessary and also relay and repair the streets which they may disturb or alter in carrying the purposes of this Act into execution Provided always that except as hereafter provided with respect to the Highgate Archway improvement nothing herein contained shall extend or be construed to extend to charge the Council with the liability or expense of repairing or making good such pavement or arches in future but when the same shall have been in the first instance so paved relaid erected built and repaired as aforesaid the same shall for ever thereafter be kept in repair by the authority in whom the management and repair of the street are vested or by any other parties or persons liable to repair the same.

Sewers or drains to be arched over or filled up.

22. The Council may caused to be arched over or filled up all such sewers or drains or parts thereof which shall be in or near the streets to be interfered with for the purposes of the improvements as shall appear necessary for executing the purposes of this Act so as that no public sewer or drain (unless the same become unnecessary by reason of the purchase of the property entitled to the use thereof) shall be in any wise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and

convenient Provided always that before filling up any sewer or drain or part thereof as aforesaid the Council shall where necessary cause to be made and built other good and sufficient sewers and drains in substitution for the sewers or drains which shall be filled up and when made and completed the said sewers and drains shall be under the same jurisdiction care management and direction as the existing sewers or drains.

Power to alter steps areas pipes &c.

23. The Council within the limits of deviation defined on the deposited plans may for the purposes of and in connexion with the improvements raise sink or otherwise alter or cause to be altered the position of any of the steps areas cellars cellar-flaps gratings fencings windows and watercourses pipes or spouts belonging to any house or building and may remove all other obstructions so as the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the Council shall make reasonable compensation to any company society or person who suffers damage by any such alteration.

Limitation of time for purchase of lands.

24. The powers of the Council for the compulsory purchase or taking of lands for the purposes of the improvements shall cease after the expiration of three years from the passing of this Act.

Period for completion of improvements.

25. If the improvements be not completed within five years from the passing of this Act then on the expiration of that period the powers of the Council under this Act for the execution of the improvements shall cease (except so far as the same shall have been then completed).

Completion of Wood Lane (Hammersmith) improvement.

26. When the Wood Lane (Hammersmith) improvement is completed a certificate thereof shall be issued under the seal of the Council and any copy of such certificate certified under the hand of the clerk of the council shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and from the date of such certificate so much of the said improvement as shall have been laid out for carriage-way or footway shall form part of the street and may be used by the public accordingly The land acquired by the Council for and thrown into the improvement shall be and remain vested in the Council and the maintenance repair paving cleansing and lighting thereof shall be under the care management control and jurisdiction of the authority in whom the management and repair of streets is vested in the same manner as other streets in their district.

Power to sell materials.

27. The Council may sell or dispose of all building and other materials of any houses and buildings acquired by them under the powers of this Act and all lamp-posts paving metalling and materials

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in under or upon any road street or other place altered by them for the purposes of this Act and any materials obtained in the alteration of or interference with any drain or sewer which are vested in the Council under the powers of this Act.

Power to lease surplus lands.

28. The Council may when and as they shall think fit so to do demise and lease any lands acquired by them under this Act and not required for the improvements or such parts thereof as the Council shall think it expedient to let on building leases either altogether or in parcels to any person or persons who shall erect and build or covenant and agree to erect and build thereon or on any part thereof houses erections or buildings of such size or class of building and upon such plan and elevation and of such height and with such storeys as the Council shall think proper for such term or number of years as they may think fit so as there be reserved in every such demise or lease such peppercorn or other yearly rent to be incident to the immediate reversion of the premises therein comprised as to the Council shall seem reasonable and so that in every such demise or lease there be contained a covenant for the payment of the rent thereby to be reserved and such other covenants on the part of the tenant or lessee to be therein named as the Council shall reasonably be advised or require and also a clause in the nature of a condition of re-entry on non-payment of the rent thereby to be reserved or on non-observance or non-performance of the covenants therein to be contained on the part of the tenant or lessee to be observed and performed and every such tenant or lessee shall give such good and sufficient security for the erecting finishing and completing of every such house erection and building which he shall covenant or agree to erect within the time in which he shall have contracted to finish the same as the Council shall order and direct and the Council may if they think fit accept and take any fine for the granting of any lease and may enter into any agreement for the granting of any lease of such lands or such parts thereof and may in any such lease or agreement for a lease give to the lessee or intended lessee an option or right to purchase the fee simple in reversion in the premises leased or agreed to be leased together with all houses erections or buildings thereon at the time of the exercise of such option at such time and on such terms and conditions as they may think fit and on granting leases in pursuance of such agreements may alter the amount of the rents agreed to be reserved in such leases and may apportion the same and grant separate leases of any part of the hereditaments by any such agreement agreed to be leased as the Council think fit and may also alter or rescind any agreement as aforesaid and may accept any surrender of any lease in all

respects as the Council shall think fit and any part of the said lands may be appropriated for and left as yards or courts to be attached to any houses agreed to be leased as the Council shall think fit.

As to sale of ground rents.

29. Subject to the provisions of this Act the Council may sell and dispose of or cause to be sold and disposed of the ground rents to be reserved by the leases or demises or agreed to be reserved by any agreements for leases of any lands made under the authority of this Act and also the fee simple in reversion in such lands and in the houses erections or buildings thereon either altogether or in parcels by public auction or by private contract for such price or prices or sum or sums of money as the Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council shall think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by the Council by re-entry on such lands on breach of any such stipulation or provision or otherwise in such manner in all respects as the Council shall think fit.

Council may sell land in the first instance without having previously granted a lease thereof.

30. Subject to the provisions of this Act the Council may if they think it expedient so to do sell and dispose of in the manner herein-before directed all or any lands acquired under the powers of this Act and not required for the improvements without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council shall think fit.

Council may let or exchange lands.

31. The Council may from time to time let either from year to year or for a less period or for a term at rack rent or exchange or otherwise dispose of any building or lands or any part thereof acquired by them under the powers of this Act for the improvements and not required for the improvements and may execute and do any deed act or thing proper for effectuating any such lease exchange or other disposition.

Council to dispose of

32. Subject to the provisions of this Act the Council shall on or before the first day of September in the year one thousand nine

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lands not wanted.

hundred and forty-nine which period shall be the prescribed period for the purposes of section 127 of the Lands Clauses Consolidation Act 1845 sell and dispose of all lands acquired by them under the powers of this Act for the improvements and which shall not be required for any of the purposes thereof.

Receipts of Council to be effectual discharges.

33. The receipt of the Council or of any person duly authorised by the Council for any purchase money rent or money payable to the Council by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the receipt shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

Power to Council to make agreements with owners of property &c.

34. The Council may subject to the provisions of this Act from time to time enter into and carry into effect agreements with any person being the owner of or interested in any lands houses or property abutting on any portion of the improvements with respect to the sale by the Council to such person of any lands or property (including any street or thoroughfare or any part of a street or thoroughfare appropriated by the Council under the powers of this Act and not required for the improvements) for such consideration as may be agreed upon between the Council and such person and the Council may accept as satisfaction of the whole or any part of such consideration the grant by such person of any lands or other property required by the Council for the purposes of this Act.

Restriction on taking houses of labouring class.

35.—(1.) The Council shall not under the powers of this Act purchase twenty or more houses in any parish 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.

(2.) For the purpose of this section the expression "labouring class" includes mechanics artizans 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 of such persons who may be residing with them.

Special provisions as to Highgate Archway improvement.

36. With respect to the Highgate Archway improvement the following provisions shall apply :—

(i.) Notwithstanding anything contained in section 92 of the Lands Clauses Consolidation Act 1845 the Council may take so

much of the property numbered on the deposited plans 3 in the parish of Saint Mary Hornsey in the county of Middlesex as is within the limits of deviation shown on the deposited plans or such portion thereof as they may require for the purposes of this Act without being compellable to take any house building or manufactory of which the same may be held to form part and the Council shall pay for the portion required by them and make compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise:

(ii.) When the Highgate Archway improvement is completed to the satisfaction of the County Council of Middlesex the Hornsey Local Board and the Vestry of the parish of Saint Mary Islington or in the event of difference between them to the satisfaction of an engineer to be appointed on the application of the Council or any of such bodies by the President for the time being of the Institute of Civil Engineers a certificate thereof shall be issued under the seals of such bodies or under the hands of the said referee as the case may be and any copy of such certificate certified under the hand of the clerk of the Council shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and from the date of such certificate so much of the said improvement as shall have been laid out for carriage-way or footway in accordance with the signed plans thereof herein-before mentioned shall form part of Hornsey Lane or Archway Road as the case may be and may be used by the public and shall be maintained repaired cleansed and lighted in the same manner as the adjoining parts of such lane or road respectively:

The cost of any referee appointed as aforesaid and of the reference shall be in the discretion of the referee:

The land acquired by the Council for and thrown into the improvement shall so far as situate in the county of London be and remain vested in the Council and shall so far as situate in the county of Middlesex be vested in the County Council of Middlesex:

The statutory and other provisions in force at the passing of this Act relating to the management repair paving cleansing and lighting of the said lane and road respectively and to the payment of the cost thereof shall extend and apply to the said lane and road as so widened:

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Provided that from and after the completion of the reconstruction of Highgate Archway the structure of the said archway shall be maintained and repaired as a county bridge at the joint expense in equal shares of the Council and the County Council of Middlesex :

The work of maintenance and repair of the structure shall be executed either by the Council or the County Council of Middlesex as may be agreed between them or as in default of agreement may be determined by the Local Government Board :

(iii) No local authority body or person shall in the exercise of any powers by Act of Parliament or otherwise conferred upon or exerciseable by them of breaking up or interfering with the New Highgate Archway or the roads and footways over the same or with the road and footways of the widened portion of Archway Road respectively for the purpose of executing any work therein thereon or thereunder cut into or interfere with the structure of the said archway except in accordance with such terms and conditions for the protection of the structure of the said archway or the retaining walls in Archway Road and works connected therewith as in default of agreement between such person on the one hand and the Council and the County Council of Middlesex on the other hand shall be determined by the Local Government Board :

(iv) If the London Street Tramways Company proceed to construct the tramways in the Archway Road which they were empowered to construct under the London Street Tramways Act 1888 they may and shall lay the same where they will pass along the widened portion of Archway Road in such position as shall be directed by the Council and the County Council of Middlesex :

Provided that no alteration in the position of such tramway as shown on the deposited plans referred to in that Act shall be made within the parish of Hornsey without the consent of the Hornsey Local Board :

And provided further that if the Council and the County Council of Middlesex and the Hornsey Local Board shall not within one month after the receipt by the Council of notice in writing from the London Street Tramways Company of their intention to commence the construction of the said tramways have agreed upon any alteration in the position of the said tramways the same may be constructed along the centre of Archway Road as widened.

Highgate Archway improvement not to be deemed new street.

37. The Highgate Archway improvement shall not be deemed a new street within the meaning of section 105 of the Metropolis Management Act 1855.

Contributions towards cost of Highgate Archway improvement.

38. With respect to contributions towards the cost of the Highgate Archway improvement the following provisions shall have effect :—

(1.) The Ecclesiastical Commissioners shall contribute and pay to the Council one thousand pounds :

(2.) The residue of the costs and expenses of and incidental to the work after deduction of the said sum of one thousand pounds shall be divided into four equal parts of which one shall be provided by the Council one shall be paid to the Council by the County Council of Middlesex one shall be paid to the Council by the Hornsey Local Board and one shall be paid to the Council by the Vestry of the parish of Saint Mary Islington :

Provided that the sums to be paid by the County Council of Middlesex the Hornsey Local Board and the Vestry of the parish of Saint Mary Islington respectively shall not in the case of any of such bodies exceed six thousand five hundred pounds.

If the London Street Tramways Company construct the Tramways Numbers 7 and 7A or either of them which they were empowered to construct under the London Street Tramways (Extensions) Act 1888 they shall pay to the Council the sum of three thousand pounds which under section 7 of that Act that company were required to pay to the Hornsey Local Board towards the cost of the reconstruction of the said archway and if that sum be paid before the final adjustment of the accounts relative to that improvement such sum shall be taken into account in settling the contributions to be paid thereto as herein-before provided And if the said sum be paid after the adjustment and settlement of the said accounts it shall be divided in four equal parts between the Council the County Council of Middlesex the Hornsey Local Board and the Vestry of the parish of Saint Mary Islington.

Account of receipts and payments (Highgate Archway).

39. The Council shall from time to time keep a separate account in relation to the costs and expenses of the Highgate Archway improvement and for the purpose of ascertaining the amount to be paid under the provisions of this Act to the Council by the County Council of Middlesex the Hornsey Local Board and the Vestry of the parish of Saint Mary Islington all sums of money (if any) which may from time to time be paid to the Council under the

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provisions of this Act on account of the Highgate Archway improvement whether such sums arise from the sale of materials or the sale or letting of lands or any other sums which respectively recoup the Council part of the expenses incurred by them in carrying this Act into execution with respect to the said improvement shall notwithstanding the provisions of the Metropolitan Board of Works (Loans) Act 1869 or any other Act be carried to the said account and the Council shall furnish copies thereof to the bodies required under the provisions of this Act to contribute thereto.

Contribution by Vestry of Hammersmith to Wood Lane improvement.

40. The Vestry of the parish of Saint Peter and Saint Paul Hammersmith shall and they are hereby required from time to time to contribute towards the costs and expenses of the Council in relation to the Wood Lane (Hammersmith) improvement authorised by this Act such sums on account of such costs and expenses as the Council may from time to time require to the extent of but not exceeding in the whole one-half of the net cost of that improvement and the said vestry may for the purpose of paying such contribution or any part thereof borrow the requisite moneys and for the purpose of securing the repayment with interest of any moneys to be borrowed as aforesaid the said vestry may mortgage and assign all the moneys or rates authorised to be raised by the vestry 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 vestry under this section.

Account of receipts and payments Wood Lane (Hammersmith).

41. The Council shall from time to time keep a separate account in relation to the costs and expenses of the Wood Lane (Hammersmith) improvement and for the purpose of ascertaining the sum to be paid under the provisions of this Act to the Council by the Vestry of the parish of Saint Peter and Saint Paul Hammersmith the Council shall notwithstanding the provisions of the Metropolitan Board of Works (Loans) Act 1869 or any other Act carry to the said account all sums of money (if any) which may from time to time be paid to the Council under the provisions of this Act on account of the Wood Lane (Hammersmith) improvement whether such sums arise from the sale of materials or the sale or letting of lands or any other sums which respectively recoup the Council part of the expenses incurred by them in carrying this Act into execution with respect to the said widening and shall furnish copies of the said account to the said vestry.

Charge of contribution of Greenwich

42. Any sums of money which the Greenwich District Board of Works may from time to time require to raise for the purpose of

their contribution under section 58 of the London Council (General Powers) Act 1891 to the new street from Evelyn Street to Creek Road (Deptford) and any moneys which they may from time to time require to raise in order to repay moneys borrowed for the purpose of such contribution and the interest thereon may be ordered to be levied and shall be levied as follows and in the proportions following (that is to say) One-third of such contribution or sum or sums of money from the parish of Saint Nicholas Deptford and the remaining two-thirds from the respective parishes of Greenwich and Saint Paul Deptford in proportion to the respective rateable values of the said two last-mentioned parishes according to the valuation list for the time being in force under the Valuation (Metropolis) Act 1869 and any Act amending the same and all the provisions of the Metropolis Management Act 1855 and the Acts amending the same with regard to the collection and levying by any district board of moneys for defraying expenses which have not been incurred for the equal benefit of the whole of their district shall apply to the collection and levying of any moneys charged under the provisions of this section upon the said parishes in the proportions aforesaid.

District Board to Evelyn Street &c. improvement.

PART III.

Extensions of Time.

43. The period limited by the Thames Tunnel (Blackwall) Act 1887 for the completion of the works authorised by the Thames Tunnel (Blackwall) Acts 1887 and 1888 is hereby extended until the eighth day of August one thousand eight hundred and ninety-seven.

Extending period &c. for compulsory purchase and completion of works.

The powers of the Council for the compulsory purchase of lands and property required for the purposes of the following works viz. :—

(*a.*) Isle of Dogs Bridges;

(*b.*) New street from Evelyn Street to Creek Road (Deptford);

(*c.*) Widening of Saint George's Place (Knightsbridge);

authorised by the London Council (General Powers) Act 1891 are hereby extended to the fifth day of August one thousand eight hundred and ninety-seven and the period limited in the said Act for the completion of the said works is hereby extended to the fifth day of August one thousand eight hundred and ninety-nine.

44. Part II. of the Railways Clauses Act 1863 relating to extension of time shall be deemed to be incorporated with this Act and for the purposes of this Act the expressions "railway" and "railway and

Applying provisions of Railways Clauses Act

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1863 as to extension of time.

works" shall mean the works mentioned in the preceding section of this Act and the expression "the company" shall mean the Council.

PART IV.

Lincoln's Inn Fields.

Purchase of Garden of Lincoln's Inn Fields.

45.—(1.) Within three months after the passing of this Act the Council shall pay to the Trustees of Lincoln's Inn Fields the sum of twelve thousand pounds and in default of payment the said sum may be sued for and recovered by the said trustees from the Council Such payment shall for the purposes of section 76 of the Lands Clauses Consolidation Act 1845 be deemed to be the deposit in the bank of the purchase money or compensation payable in respect of all estates rights and interests in the garden in Lincoln's Inn Fields which is delineated on the deposited plans and described in the deposited book of reference under the number 1 in the parish of Saint Giles-in-the-Fields other than the reversion in fee in a portion thereof which is vested in trustees for the Society of Lincoln's Inn and the receipt of the Trustees of Lincoln's Inn Fields or any three of them shall be deemed to be the receipt of the cashier of the bank within the meaning of section 77 of the same Act.

(2.) The Council shall as from the date of the deed poll to be executed in accordance with the said section 77 and subject to the provisions herein-after contained hold the said garden and every part thereof as a public garden and shall lay out preserve and maintain the same and every part thereof for that purpose and shall keep the same properly railed and fenced.

(3.) The said sum of twelve thousand pounds shall be deemed and taken to be the purchase-money for the said garden and for all estates rights and interests therein (other than the said reversion in fee of that portion thereof which is vested in the Trustees for the Society of Lincoln's Inn) and the said sum of money shall also be deemed to include all compensation (if any) payable to any person except the Trustees for the Society of Lincoln's Inn in connection with or in consequence of the transfer and vesting of the garden in the Council under this Act.

(4.) The said sum of twelve thousand pounds shall be paid by the Trustees of Lincoln's Inn Fields into court to the credit of "Ex "parte the purchase money for the garden in Lincoln's Inn Fields "In the Matter of the London County Council (Improvements) "Act 1894" and shall be paid and applied under the Order of the

court in manner directed by the last preceding sub-section and subject to such payment and application shall be paid to the Trustees of Lincoln's Inn Fields to be apportioned and divided by them (after the deduction of the necessary costs and expenses of and incidental to the distribution) among the freeholders of the houses and buildings fronting or abutting on Lincoln's Inn Fields in such proportions as the trustees may in their absolute discretion determine.

(5.) Any moneys in the hands of the Trustees of Lincoln's Inn Fields at the passing of this Act shall be divided by the trustees after payment and satisfaction of any costs charges and expenses debts and liabilities of the trustees in the same manner as the said sum of twelve thousand pounds.

(6.) From and after the date of transfer all the powers conferred on the trustees by the said Act of the eighth year of King George the Second chapter twenty-six shall be transferred to and vest in and may be exercised by the Council except that the powers of the trustees under the said Act to raise levy and collect the rates and duties authorised to be assessed and levied under that Act shall cease and the expenses of maintaining managing and preserving the said garden shall be paid by the Council.

For the protection of the owners lessees and occupiers of the houses in Lincoln's Inn Fields and of the Society of Lincoln's Inn respectively the following provisions shall have effect (that is to say) :—

(7.) No building shall be erected or maintained in any part of the garden other than the buildings now existing therein or such other buildings of a similar character as may be requisite in connection with the convenient use and maintenance of the garden as by this Act directed and no marquee or tent shall be erected in any part of the garden.

(8.) No building shall be erected within three hundred and fifty feet of the west side of the wall and gateway of the Society of Lincoln's Inn between Great Turnstile and Serle Street or within one hundred feet of the outer railings round the garden except buildings on the same site and of the same elevation and character in replacement of buildings now existing within the same limits.

(9.) No band or any other music shall be permitted to play in the garden before six p.m. on Mondays Tuesdays Wednesdays Thursdays or Fridays or before three p.m. on Saturdays or before one p.m. on Sundays.

(10.) No noisy games of any kind nor any exhibition or shows or dancing nor any public or other meetings shall be allowed in the

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garden or other use made of the garden which shall tend to the annoyance of the Society of Lincoln's Inn or its members or the inhabitants of houses in Lincoln's Inn Fields and due precautions shall be taken to preserve the ornamental trees and shrubs in the said garden from injury and the whole enclosure shall be used and properly maintained as a garden and for no other purpose.

(11.) Before the garden is opened to the public byelaws shall be framed by the Council for the regulation and management of the garden and for giving full effect to the foregoing provisions:

Subject to the provisions of this Act the garden shall be deemed to be included among the parks gardens and open spaces to which the provisions of the London Council (General Powers) Act 1890 with respect to Byelaws (Parks and Open Spaces) are applicable.

(12.) Nothing in this Act contained shall affect the reversion of the Trustees of the Society of Lincoln's Inn in the garden of Lincoln's Inn Fields.

(13.) Within three months from the date of transfer the Council shall produce to the Commissioners of Inland Revenue a Queen's Printer's copy of this Act duly stamped and in default of production the ad valorem stamp duty with interest at the rate of five pounds per centum per annum from the date of transfer to the date of payment shall be a debt due to Her Majesty and recoverable from the Council with full costs of suit and all costs and charges attending the same.

As to the clerk and collector.

46. If Edward Upton who was on the thirteenth day of March one thousand eight hundred and ninety-three clerk and collector to the Trustees of Lincoln's Inn Fields shall be such clerk and collector at the passing of this Act the Council shall compensate him for the loss of such offices and the amount of such compensation shall if not agreed between Edward Upton and the Council be determined having regard to the circumstances of the case by the Local Government Board.

PART V.

Financial.

Money to be raised on capital account.

47.—(1.) The Council may expend on capital account for the purposes of carrying out the improvements including the purchases of land by this Act authorised such money as they may from time to time think fit not exceeding ninety-three thousand pounds and in order to raise or provide the money required for those purposes

the Council may from time to time create and issue consolidated stock or resort to the Consolidated Loans Fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time in force regulating the raising of money for capital purposes by the Council:

Provided that nothing in this Act shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September one thousand eight hundred and ninety-five.

(2.) The Council shall make provision for the redemption of such stock or the repayment of any money borrowed or expended on capital account for the purposes of this Act within a period of not exceeding sixty years from the date of the expenditure of such money in accordance with the provisions in relation to redemption and repayment of the Acts relating to the raising and expenditure of money by the Council on capital account.

As to payments und this Act.

48. All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act 1888 and the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Council in like manner.

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