CHAPTER xcix.

An Act to provide for throwing open for the free use of the Public certain Toll Bridges within the Metropolis. A.D. 1877.

[12th July 1877.]

WHEREAS it is expedient that the several toll bridges set forth in the schedule to this Act annexed, which are situate within the metropolis, should be thrown open free from toll for the use of the public, and with that view that the powers in this Act contained should be conferred on the Metropolitan Board of Works, and that the other provisions in this Act contained in relation thereto should be made:

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

Short title.

1. This Act may be cited as "The Metropolis Toll Bridges Act, 1877."

Interpretation of terms.

2. In the construction of this Act the following terms shall have the meanings herein-after assigned them:

"The Board" shall mean the Metropolitan Board of Works.

The term "bridge" shall include any of the bridges mentioned in the first column of the schedule to this Act annexed, and all buildings and works in, under, upon, or forming part of the same.

The term "company" used in relation to any bridge shall mean the company, body, or persons specified in the second column of Part I. or Part II. of the schedule to this Act annexed, opposite to the name of such bridge.

The term "special Act" with respect to a company shall mean and include any and every Act of Parliament relating to the

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bridge of such company, or any matter connected therewith or incident thereto.

The term "undertaking" shall mean,—

With respect to any company specified in Part I. of the schedule to this Act annexed, the bridge of such company and the approach roads to and toll-houses on or near the same, and all lands and works necessarily occupied or used for the purposes of the same, and all the estate, right, title, and interest of such company in or to the same, and all rights, powers, and authorities and privileges of such company in relation thereto, under their special Act or otherwise; and

With respect to the company specified in Part II. of the schedule to this Act annexed, all rights of way or passage over the bridge of such company, and all powers, authorities, and privileges enjoyed or exerciseable by such company with respect to such rights of way or passage, and all rights, powers, authorities, and privileges enjoyed or exerciseable by such company with respect to tolls and charges arising from or in connexion with such rights of way or passage over such bridge, and all the estate, right, title, and interest of such company in or to such rights of way or passage, tolls, and charges, under their special Act or otherwise.

Act to be carried into effect by Metropolitan Board.

3. This Act shall be carried into effect by the Board.

Power to Board to appoint a committee.

4. The Board may from time to time appoint a committee to manage and transact all or any of the matters or purposes which the Board are by this Act empowered to do or perform, which committee shall have so much or so many of the powers by this Act conferred on the Board as from time to time the Board see fit to delegate to them.

The Board may purchase undertakings of companies.

5. The Board shall, within two years after the passing of this Act, by notice in writing, require each and every company specified in the schedule to this Act annexed to sell, and every such company shall when so required sell their undertaking to the Board, and the Board shall purchase the same, in the manner and subject to the terms and conditions by this Act prescribed.

Terms of purchase of undertakings of companies. 8 & 9 Vict. c. 18., 23 & 24 Vict. c. 106., 32 & 33 Vict. c. 18.

6. The consideration to be paid by the Board for the purchase of the undertaking of any company shall be such as may be settled by agreement between the Board and such company, or failing such agreement as may be settled in manner provided by the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, with respect to the purchase and taking of lands other-

wise than by agreement, and for such purpose the said provisions shall be incorporated with this Act, save and except that, notwithstanding anything in the twenty-eighth section of "The Lands Clauses Consolidation Act, 1845," contained to the contrary, in the execution of this Act the appointment of an umpire shall, in the cases referred to in that section, be left to the Board of Trade; and in the construction of the same the terms "the promoters of the undertaking" and "lands" used therein shall be construed to mean the Board and the undertaking respectively:

8 & 9 Vict. c. 18.

Provided that in estimating the consideration payable in respect of the undertaking of any company, due regard shall be had to the net annual value of the tolls payable and revenue arising in respect of the undertaking of such company prior to the first day of July one thousand eight hundred and seventy-seven, the construction, durability, and present state of repair of such bridge, the liability of such company to maintain the same, the probabilities of future profits out of and future expenditure in relation to the same, and the special circumstances (if any) affecting the case; and in any case in which the vendors shall make specific application for costs incurred by them in appearing before Parliament on the proceedings in this session which have resulted in the passing of this Act, the arbitrator, arbitrators, or umpire, as the case may be, may make such addition to his or their award for such costs as may appear to him or them to be reasonable.

Compensation to lessees of tolls, &c.

7. Where in pursuance of any lease or agreement duly made or entered into before the first day of July one thousand eight hundred and seventy-seven, the tolls in respect of the undertaking of any company (except the Deptford Creek Bridge, or any part thereof) are payable to any company, body, or person (in this Act referred to as the "lessee") at the time when the notice to sell such undertaking is given by the Board to such company as aforesaid, then and in every such case the consideration to be paid for such undertaking shall not be settled by agreement between the Board and such company as aforesaid unless the proportion thereof to be paid over by the company to the lessee be also determined, with the consent of the lessee, and if such consideration be not so settled and such proportion be not so determined as aforesaid, then the consideration to be paid by the Board to such company shall be settled in manner by this Act provided for the settlement of the consideration otherwise than by agreement, and in estimating such consideration the proportion thereof (if any) to be paid over by such company to the lessee in respect of his interest under such lease or agreement shall also be determined, and in determining such proportion due

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regard shall be had to the terms, conditions, and obligations of the said lease or agreement, the net annual value of the tolls payable in respect of the demised undertaking prior to such first day of July one thousand eight hundred and seventy-seven, the duration of such lease or agreement, the probabilities of future profits, to be received or future expenses to be incurred by the lessee thereunder, and the special circumstances (if any) affecting the case: Provided always, that the lessee shall be entitled to appear and be heard in all proceedings relating to the settlement of the consideration to be paid by the Board to such company otherwise than by agreement, and to the determination of the proportion thereof to be paid over by the company to such lessee; and all costs and expenses of and incident to such appearance shall be deemed to be costs of such proceedings; and provided always, that no compensation shall be payable to any person for the determination of his interests in any lease or contract made after the first day of July one thousand eight hundred and seventy-seven, under which the tolls in respect of the undertaking of any company are payable to such person.

As to consideration in case of the company in Part II. of schedule.

8. The amount of the consideration, when agreed upon or ascertained in manner aforesaid in respect of all or any of the undertakings of the company specified in Part II. of the schedule to this Act annexed, shall, in case the Board shall by writing under their seal so require, be made payable by means of an annual rentcharge to be calculated in manner by this Act prescribed, and any such consideration, whether payable in one sum or by any such rentcharge, shall be paid or payable to such company upon the conditions following, in this Act referred to as "the conditions of purchase;" (that is to say,)

Subject to the provisions of this Act, such company shall maintain and keep their bridge in substantial repair, suitable and open to the public at all times for every description of foot traffic, which conditions such company shall and they are hereby required to fulfil.

In case any difference shall arise between such company and the Board as to whether or not such company, after payment of any such consideration in one sum or while any such rentcharge shall be payable, shall from time to time have fulfilled all the conditions of purchase, such difference shall be decided by an arbitrator to be appointed by the Board of Trade on the application of such company or of the Board, whose decision as to such difference and as to the payment of the costs incurred in the proceedings before him shall be final and binding upon such company and the Board.

Every such rentcharge payable to such company shall be calculated at such rate per annum, in respect of every one hundred pounds or any fractional part thereof forming part of the consideration so agreed or ascertained as aforesaid to be payable to such company, as may be agreed upon between such company and the Board, or as may be settled when the amount of such consideration shall be determined, and the same shall be paid by equal half-yearly payments in each and every year on such days respectively as may be fixed when the amount of such rentcharge shall be determined.

Payment of consideration for purchase of Chelsea Suspension Bridge.

9. The amount of the consideration to be paid by the Board for the purchase of the undertaking of the Chelsea Suspension Bridge shall be paid to Her Majesty's Paymaster General, and be by him carried to the account of the Commissioners of Her Majesty's Works and Public Buildings, and upon such payment the Paymaster General shall give to the Board, or to the party paying such money, by their direction, a receipt for such money, and such receipt shall be a sufficient discharge for the same.

Payment of consideration for purchase of undertakings included in Part I. of schedule.

10. The amount of the consideration to be paid by the Board for the purchase of the undertaking of any company included in Part I. of the schedule to this Act annexed, when agreed upon or so ascertained as aforesaid, shall, except in the case of the undertaking of the Chelsea Suspension Bridge, be paid to such of the directors or of the committee of management of such company or to such other persons or person as such company shall, by a resolution passed at a general meeting of such company, prescribe, upon their receipt, except where such directors, committee of management, or persons shall refuse to accept the same, or where no such resolution has been passed, and in such case the same shall be paid into the Bank of England in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice, and shall be placed to his account there to the credit of such company, subject to the provisions of this Act, and shall be assets of such company to be paid to such directors or committee of management of the company or other persons as the company shall prescribe by a resolution passed at a general meeting of such company, to be held subsequently to and within six months after the payment of such consideration into the Bank of England as aforesaid, upon the order of the said Paymaster General, which order he is hereby required to make upon the application of such directors, committee of management, or other persons as aforesaid, and upon production of a copy of such resolution, signed

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and verified by the chairman and secretary or clerk of such company, and upon such payment being made by the Board, the said directors, committee of management, or persons, or the cashier of the said Bank, shall give to the Board, or to the party paying in such money, by their direction, a receipt for such money signed by them or him, specifying therein for what purpose and to whose credit the same has been paid, and such receipt shall be a sufficient discharge to the Board for the same, and the Board shall not be bound to see to the application or be answerable for the misapplication or non-application thereof. The directors, committee of management, or persons to whom any such consideration shall be paid as aforesaid shall hold such consideration, after payment thereout of all proper costs, charges, and expenses incurred in carrying out the provisions of this Act, and consequent thereon and incidental thereto, upon trust, subject in the case of Waterloo Bridge to the provisions contained in the eleventh and twelfth sections of this Act, in the first place to pay over to the lessee (if any) such proportion thereof (if any) as shall have been determined as the proportion to be paid to such lessee in respect of his interest under his lease or agreement, and in the next place forthwith to pay and satisfy all debts and liabilities of such company according to their respective priorities, and to distribute the balance remaining after such payment and satisfaction among the holders of the share capital of the company, their executors, administrators, successors, or assigns rateably according to their respective priorities, and such directors, committee of management, or persons may exercise all powers necessary for distributing such consideration as aforesaid and for winding up the affairs of such company or for continuing any part of their business which they may be capable of continuing, according as such company shall by any such resolution as aforesaid determine that their affairs should be wound up or that such part of their business should be carried on.

Provided that where such directors, committee of management, or other persons are unable, after diligent inquiry, to ascertain the person to whom any part of such consideration is payable, or where any part thereof is payable to a person who or whose committee cannot give an effectual receipt for the same, the directors or committee of management may pay the same into the Chancery Division of the High Court of Justice under any Act for the time being in force for the relief of trustees.

In case such consideration shall be paid into the Bank of England in manner aforesaid, and in case such company shall not within such period of six months thereafter have passed any such resolution

as aforesaid, or in case the directors or other persons named in any such resolution shall not within one month after the passing of such resolution obtain payment out of the Bank of England of such consideration, then upon petition presented within the period of one month after the expiration of such time by any creditor or creditors contributory or contributories of such company, or by all or any of the above parties, together or separately, the Chancery Division of the High Court of Justice shall order such company to be wound up, and thereupon the following provision of the Companies Act, 1862, that is to say, Part IV., with respect to the winding-up of companies and associations under the said Act, and Part VIII., application of Act to unregistered companies, shall extend and apply to the winding-up of such company, and, subject to the provisions of this Act, such winding-up of such company shall in every respect be a winding-up of a company within the meaning and subject to the provisions of the Companies Act, 1862.

25 & 26 Vict. c. 89.

In case such company should be wound up in manner aforesaid, the moneys forming the assets of such company in the Bank of England shall be paid out to the order of the official liquidator or official liquidators, and shall be by him or them distributed according to the said provisions of the Companies Act, 1862, but subject in the case of Waterloo Bridge to the provisions contained in the eleventh and twelfth sections of this Act.

As to meetings of shareholders, annuitants, and bondholders.

11. Any resolution passed by a majority in value of the shareholders, annuitants, or bondholders of the Waterloo Bridge Company respectively present, either personally or by proxy, at a meeting of such shareholders, annuitants, or bondholders respectively, which meeting shall have been convened by letter addressed and sent by post to the last known place of abode of each such shareholder, annuitant, or bondholder, and advertised twice in two London daily newspapers not less than twenty-one days before the date fixed for such meeting, shall effectually bind the whole of such shareholders, annuitants, and bondholders respectively as to the amount or distribution of the consideration paid or to be paid for the purchase of the company's undertaking or as to any payments or allowances to be made thereout.

Arbitrator, if required, to determine value of interest of such shareholders, annuitants, and bond-

12. The amount of the consideration to be paid by the Board for the purchase of the undertaking of the Waterloo Bridge Company shall be ascertained by an arbitrator, arbitrators, or an umpire, and when such arbitrator, arbitrators, or umpire shall have so determined the same he or they shall, if so requested by the said company, determine the value of the interest of the holders of bonds, of annuities, and

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holders in compensation.
8 & 9 Vict. c. 18., 23 & 24 Vict. c. 106., 32 & 33 Vict. c. 18.

of shares separately for distribution among each of such bodies respectively: Provided always, that nothing herein-before contained shall authorise the arbitrator, arbitrators, or umpire to proceed otherwise in estimating the compensation to be paid by the Board to the company than in accordance with the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, as applied to this Act.

Payment of consideration for purchase of undertakings included in Part II. of schedule.

13. The amount of the consideration to be paid by the Board for the purchase of the undertakings of the company specified in Part II. of the schedule to this Act annexed, and any rentcharge payable in respect of such consideration when agreed upon or so ascertained as aforesaid, shall be paid to the directors of such company, or to any five of such directors, upon their receipt, except where such directors shall refuse to accept the same, or where the conditions of purchase have not been complied with, and in such case the same shall be paid into the Bank of England in the name and with the privity of Her Majesty's Paymaster General on behalf of the Chancery Division of the High Court of Justice, and shall be placed to his account there to the credit of such company, subject to the control and disposition of the said Court; and upon such payment or deposit being made the said directors or the cashier of the said bank shall give to the Board, or to the party paying in such money by their direction, a receipt for such money, specifying therein for what purpose and to whose credit the same has been paid, and such receipt shall be a sufficient discharge to the Board for the same, and the Board shall not be bound to see to the application or be answerable for the misapplication or non-application thereof.

Where under the authority of this section any moneys have been deposited by the Board in the Bank of England in manner aforesaid, the Chancery Division of the High Court of Justice may, upon the application of any party making claim thereto, in a summary way, as to such Court shall seem fit, order such moneys to be laid out or invested in the public funds, or may order distribution thereof or payment of the dividends thereof according to the respective estates, titles, or interests of the parties making claims to the same or any part thereof, and may make such other order in the premises as to such Court shall seem fit; and for the purposes aforesaid the said Court may exercise all powers necessary for distributing such moneys and paying such dividends; and the said Court shall apportion amongst the several persons entitled thereto such moneys or any part thereof, or the dividends thereof, or amongst such of the said persons as to such Court shall seem fit,

and shall order payment by such persons of the costs of any investment of such moneys in manner aforesaid, and of the transfer, alteration, or sale of any such investment, and of the distribution of any such moneys, and also the costs of any proceedings or orders in or by the said Court for all or any of the purposes aforesaid, or incidental thereto or consequent thereupon: Provided always, that no order shall be made for the payment out of court of any moneys or of any dividends or interest in respect of moneys so paid into the Bank of England in respect of the undertakings of the company specified in the second column of Part II. of the schedule to this Act annexed by reason of the neglect of such company to make good any default in compliance with the conditions of purchase, until proof shall be given that such default has been made good, and the said Court, if it shall seem fit, may make an order to enforce compliance with such conditions of purchase, and may order the payment of the costs of any proceedings in respect thereof out of the moneys so paid into the Bank of England as aforesaid, or which may thereafter become payable by the Board on account of any rentcharge, or in any other manner, as to such Court shall seem proper.

Companies books evidence.

14. For the purposes of the distribution of the assets of any company the persons who appear in the books of such company to be proprietors of capital, or of annuities, mortgages, bonds, or debentures of such company, shall, unless the contrary is proved to the satisfaction of the persons or court authorised to distribute the same, be considered to be proprietors of capital, or of annuities, mortgages, bonds, or debentures of such company.

Transfer of undertaking.

15. When the receipt for the amount of the consideration or for the amount payable as a first payment of any such rentcharge as aforesaid on account of the consideration agreed upon or so ascertained as aforesaid to be paid for the purchase of the undertaking of any company has been signed in manner directed by this Act, then such undertaking shall, by virtue thereof and of this Act, be transferred to and vested in the Board, and they shall be entitled to immediate possession, and they shall have absolute control of such undertaking freed and discharged from all leases, contracts, debts, charges, and liabilities whatsoever of the company affecting the same, and thereupon all duties, obligations, and liabilities of the company in respect of the same shall, save as by this Act expressly provided, absolutely cease and determine.

Effect of transfer.

16. After the Board has acquired absolute control of any undertaking, the tolls and charges arising from or in connexion with the bridge or bridges comprised in such undertaking shall cease

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to be levied thereon and the said bridge or bridges shall be open free to the public, and the said bridge or bridges if specified in Part I. of the schedule to this Act annexed, and the roads over the same, shall be maintained and repaired by the Board, and the said bridges shall not be or become county bridges, but the approach roads thereto shall be public highways maintainable and repairable as other highways in the parish or district in which the same shall be situate respectively.

Provided always, that the bridges specified in the several divisions herein-after mentioned shall be open free to the public at one and the same time; that is to say, 1st division, Waterloo Bridge, and the Footbridge at Charing Cross and also the Footbridge at Cannon Street, unless the same be then closed and discontinued in accordance with the provisions of this Act; 2nd division, Lambeth Bridge, Vauxhall Bridge, Chelsea Bridge, Albert Bridge, and Battersea Bridge; 3rd division, Wandsworth Bridge, Fulham (otherwise Putney) Bridge, and Hammersmith Bridge.

Actions and proceedings not to abate.

17. If at the time of the transfer of the undertaking of any such company any action, suit, proceeding, or any cause of action is pending or existing by or against such company, the same shall not abate, be discontinued, or be in any way prejudicially affected by reason of the transfer; and such action, suit, proceeding, or cause of action may, notwithstanding such transfer, be continued, prosecuted, and enforced by or against such company.

Company to continue liable for debts, &c. unpaid.

18. If at any time after the transfer of the undertaking of any company any claim is lawfully made for any debt or sum of money which at the time of the transfer is due or owing from such company for, on account, or in respect of such undertaking, and is not paid or discharged by them, the company shall, notwithstanding such transfer, be liable to satisfy such claim out of any assets of the company.

As to property of company not being part of undertaking as defined by this Act.

19. In case any company included in Part I. of the schedule to this Act annexed (except the Commissioners of Her Majesty's Works and Public Buildings) shall have, hold, possess, or enjoy any lands, works, or other property whatsoever, whether real or personal, or any rights, easements, powers, privileges, or authorities whatsoever which are not included in the undertaking of such company as defined by this Act, such company may sell the same or any of the same to any company, corporation, or person, upon such terms and subject to such conditions as may be agreed upon, or they may by notice in writing require the Board to purchase the same; and the Board in case they shall be so required, and if such

notice shall have been served upon the clerk to the Board within two months after such company was required by the Board, under the authority of this Act, to sell their undertaking, shall purchase the same, upon such terms and conditions as may be agreed upon between the Board and such company, or failing such agreement, as may be settled by arbitration in manner provided by the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, with respect to the settlement of questions of disputed compensation required to be settled by arbitration; and for such purpose the said provisions shall be incorporated with this Act, and in the construction of the same the term "the promoters of the undertaking" used therein shall be construed to mean the Board; and in case such company shall not sell the same in manner aforesaid, they may continue to have, hold, possess, and enjoy the same.

8 & 9 Vict. c. 18., 23 & 24 Vict. c. 106., 32 & 33 Vict. c. 18.

All moneys payable to such company (except as aforesaid) by way of purchase-money or by way of rent or otherwise in respect of any such lands, works, or other property, rights, easements, powers, or privileges shall be paid to the directors or persons to whom the consideration for the purchase of the undertaking of the company was paid, or the survivors or survivor of them, or into the Bank of England, if such consideration was paid into the said Bank, and such moneys in the hands of such directors or persons, or in such Bank, shall be subject to all the provisions of this Act applicable to such consideration, and the payment and application and distribution of the same.

Compensation to officers, &c. of companies.

20. When the Board has acquired absolute control of the undertaking of any company, the Board shall continue to pay any allowance granted or paid by such company, before January first one thousand eight hundred and seventy-seven, by way of pension to any officer or servant of such company, in like manner in every respect as the same was theretofore paid by such company, and the Board shall grant by way of compensation for the abolition of office an allowance to the secretary, clerk or clerks, messengers, and toll collectors of such company, subject to the following conditions:

1. That such secretary, clerk, messenger, or toll collector shall be in the actual employment of the company immediately before the Board obtained absolute control of such undertaking, and shall have been in such employment for a continuous period of not less than two years previous to the first day of January one thousand eight hundred and seventy-seven:
2. That the amount of such allowance shall be such as would be payable on retirement to such secretary, clerk, messenger, or

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toll collector under section 2 of the Superannuation Act, 1859, in the event of his having served in an established capacity in the permanent civil service of the State for the same time as in the service of the company, and if ten years were added to the number of years he may have actually served:

3. That in estimating such allowance, the amount of the salary and emoluments upon which the same shall be calculated shall be taken on the average of the salary and emoluments actually received during the two years next preceding such first day of January one thousand eight hundred and seventy-seven by such secretary, clerk, messenger, or toll collector, as and for his own use, after deducting therefrom any payments or allowances usually made by him:

4. That no such allowance shall exceed two thirds of the salary and emoluments upon which the same shall be estimated.

Every such allowance shall be payable by two equal half-yearly payments, the first of such payments to be made at the expiration of six months from the date when the Board shall have acquired absolute control over such undertaking: Provided always, that the Board may at any time agree with any person entitled to any allowance under this enactment for the commutation of such allowance.

Compensation to officers of Waterloo Bridge Company.

21. Having regard to the terms of employment of the principal clerk and assistant clerk of the Waterloo Bridge Company under 49 George III. c. 191. s. 26, when the bridge is purchased the said principal clerk and assistant clerk shall receive during their respective lives from the Board by way of compensation for the loss of their offices from the time at which the Board takes possession of the company's bridge annuities payable half-yearly equal to three fourths of the annual salary and emoluments derived by them from their respective offices on the tenth of April one thousand eight hundred and seventy-seven.

Power to sell surplus lands, and application of moneys arising therefrom.

22. The Board may from time to time sell and dispose of any of the lands, works, or other property purchased by them under this Act and not required by them for the purposes of this Act, and all moneys arising from any such sale or disposition shall be applied by the Board for and towards the carrying the purposes of this Act into execution.

Special provisions as to Deptford Creek Bridge.

23. Whereas under the provisions of a local and personal Act passed in the first year of the reign of Her present Majesty, that is to say, the Act first Victoria, chapter one hundred and twenty (in

this Act referred to as "the Act of 1837"), the London and Greenwich Railway Company are required to pay by way of compensation, recompense, or allowance to the Deptford Creek Bridge Company in every year the difference (if any) between the moneys received in such year by the said Deptford Creek Bridge Company by way of rent for the tolls taken in respect of such bridge and a sum of two thousand three hundred and twenty-five pounds:

And whereas it is expedient that from and after the transfer to the Board of the undertaking of the Deptford Creek Bridge Company, provision should be made for the payment to the Board of so much on account of such compensation, recompense, or allowance as shall be just, and as but for the passing of this Act would continue to be paid to the Deptford Creek Bridge Company by the London and Greenwich Railway Company: Therefore,

In estimating the consideration to be paid for the undertaking of the Deptford Creek Bridge Company, such consideration shall be estimated upon the basis that the Deptford Creek Bridge Company is entitled to receive not only the actual tolls of such bridge, but also annually and in perpetuity from the London and Greenwich Railway Company, their lessees and assigns, the difference between such tolls and the sum of two thousand three hundred and twenty-five pounds, and the net annual value of the tolls and revenue of the said company shall be ascertained separately in manner by this Act prescribed, and due regard shall be had to the liability of the London and Greenwich Railway Company, their lessees and assigns, under section nine of the Act of 1837, to the payments therein prescribed in respect of such tolls and revenue and to the possible determination thereof, and the amount of the net annual value of such tolls as specifically ascertained is hereinafter in this section referred to as "the net annual value of the tolls of Deptford Creek Bridge."

The London and Greenwich Railway Company, their lessees and assigns, shall, from and after the transfer of the Deptford Creek Bridge to the Board, from time to time pay to the Board the difference between the sum of two thousand three hundred and twenty-five pounds mentioned in the said ninth section of the Act of 1837 and the net annual value of the tolls of Deptford Creek Bridge, at the times and in the manner provided by the said ninth section for the payments to be made thereunder to the Deptford Creek Bridge Company, and as if the amounts so from time to time payable had by the Act of 1837 been specifically mentioned and been made payable to the Board instead of to the Deptford

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Creek Bridge Company: Provided always, that the Board and the London and Greenwich Railway Company, and their lessees and assigns, may at any time contract and agree for the payment by the London and Greenwich Railway Company, their lessees or assigns, of a capital sum in lieu of the before-mentioned annual payments.

7 W. 4. & 1 Vict. c. cxx.

The properties by the tenth section of the Act of 1837 charged with the payment to the Deptford Creek Bridge Company of compensation, recompense, or allowance shall continue to be charged with the payment of the moneys by this Act made payable to the Board on account of such compensation, recompense, or allowance by the London and Greenwich Railway Company, in like manner in every respect as if the same had by the said Act been made payable to the Board instead of to the Deptford Creek Bridge Company, and all the powers and remedies by the said tenth section provided for the recovery by the said Deptford Creek Bridge Company of compensation, recompense, or allowance which might from time to time become due and be unpaid by the said London and Greenwich Railway Company shall enure to the benefit of and may be exercised by the Board in like manner in every respect as if the Board were in the said section substituted for the Deptford Creek Bridge Company.

In all proceedings relating to the consideration to be paid to the Deptford Creek Bridge Company under this Act the South-eastern Railway Company shall be entitled to appear and to be heard, and all costs and expenses of and incident to their appearance shall be deemed to be costs of such proceedings.

Board of Works for district of Greenwich to have control of Deptford Drawbridge, and power to Board to pay expenses.

24. From and after the transfer of the undertaking of the Deptford Creek Bridge Company all the powers, duties, and obligations of the said company under their special Act with respect to the opening or removing of the drawbridge or swingbridge in the Deptford Creek Bridge for the passage of ships and other vessels through the same shall be transferred to and shall be exercised and performed by and be binding upon the Board of Works for the district of Greenwich, but the expenses incurred by the said Board of Works in respect thereof, not exceeding the average annual expense so incurred in the three years prior to the first day of January one thousand eight hundred and seventy-seven, shall, upon demand, be repaid to the said Board of Works by the Board.

Dissolution of certain companies.

25. Any company whose undertaking has been transferred to the Board under this Act, and whose affairs have been adjusted or

wound up in manner by this Act directed, shall thereupon be and they are hereby dissolved. A.D. 1877.

Power to borrow. 32 & 33 Vict. c. 102., 33 & 34 Vict. c. 24., 34 & 35 Vict. c. 47.

26. The Board may borrow such money, not exceeding in the whole one million five hundred thousand pounds, as they from time to time require for the purposes of this Act; and all the provisions of "The Metropolitan Board of Works (Loans) Acts, 1869 to 1871," except the limitation of the amount in section 38 of the first of those Acts, shall, subject to the provisions of this Act, extend and apply to such borrowing and the repayment of the moneys so borrowed.

Justices of the peace of Middlesex and Surrey to contribute towards maintenance of bridges.

27. The justices of the peace of the county of Middlesex and the justices of the peace of the county of Surrey shall each pay to the Board the sum of twelve hundred pounds annually, by quarterly instalments, in perpetuity out of the rates of those counties respectively, the first quarterly payment to be made at the expiration of three months from the date of the free opening of the bridges specified in Part I. of the schedule to this Act annexed; and such sums respectively shall be in full discharge in perpetuity as aforesaid of any liability of the inhabitants of those counties respectively to maintain, repair, or reconstruct any of such bridges situate wholly or partially within such counties respectively.

Power of Board to defray certain expenses. 18 & 19 Vict. c. 120.

28. The Board may from time to time defray the expenses incurred by them in the execution of this Act and not by this Act otherwise provided for, in like manner in every respect, save as herein-after expressly provided, as if such expenses were expenses incurred by the Board in carrying into execution the purposes of "The Metropolis Management Act, 1855," and the Acts amending the same.

Moneys required from vestries and district boards to be raised as a general rate.

29. All sums which from time to time the Board may require for the purpose of carrying to the Consolidated Loans Fund such sums as may be approved by the Treasury as necessary to be so carried in respect of moneys borrowed under the authority of this Act, and all sums which from time to time the Board may require to defray any such expenses as aforesaid and which any vestry or district board may by precept be required to pay to the Board in pursuance of the provisions of this Act, shall in such precept be termed "bridge expenses," and shall be paid by such vestry and district board respectively, and shall be raised in like manner as if the same were required by the said vestry or district board for defraying such of the expenses of such vestry or district board as are chargeable upon their general rate.

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As to the two foot-bridges of the South-eastern Railway Company.

30. The South-eastern Railway Company may from time to time close such part or parts of the Charing Cross Railway Bridge as may for the time being be appropriated for the purposes of foot traffic, and discontinue the use thereof for such purposes upon substituting in lieu thereof such other adequate and proper accommodation for the said foot traffic as may be agreed upon between the Board and the company, or failing such agreement as may be settled by arbitration, and thereupon all rights of way or passage over such part or parts so closed as aforesaid shall absolutely cease and determine, and the provisions of this Act in relation thereto shall apply to the accommodation so substituted in lieu thereof as aforesaid in every respect as if such substituted accommodation had originally been the bridge of such company as defined by this Act.

Nothing in this Act contained shall deprive the South-eastern Railway Company of the right to close that part of the Cannon Street Bridge which shall at the time of the passing of this Act, or at any time hereafter, be appropriated to the purposes of a footbridge, and to discontinue the use thereof by foot passengers: Provided that in the event of such closing and discontinuance, the said company shall be liable to refund to the Board such proportionate part of the consideration money (if any) which shall have been received by them under the provisions of this Act as, failing agreement, shall be determined by arbitration, or if such consideration shall have been made payable by way of an annual rentcharge, such rentcharge shall thereupon be extinguished. Any arbitration under this section shall be in manner provided by the Railway Companies Arbitration Act, 1859, and the Board shall be deemed a railway company within the meaning of that Act.

22 & 23 Vict. c. 59.

Saving rights of London Gaslight Company.

31. Nothing in this Act contained shall prejudice, affect, or alter any right, privilege, or power vested in or enjoyed or exerciseable by the London Gaslight Company in respect of any main or pipe laid under, over, or along any bridge or the approaches thereto.

Saving for Conservators of River Thames.

32. No transfer of any undertaking under the authority of the Act, and nothing in this Act contained, shall alter, vary, or affect any estate, right, title, or interest of the Conservators of the River Thames.

Expenses of Act.

33. The costs, charges, and expenses of preparing, applying for, obtaining, and passing of this Act, and preliminary and incidental thereto, shall be paid by the Board.

The SCHEDULE to which this Act refers.

Part I.

First Column.	Second Column.
1. Hammersmith Suspension Bridge.	Hammersmith Bridge Company.
2. Fulham (otherwise Putney) Bridge.	Fulham Bridge Company.
3. Wandsworth Bridge -	Wandsworth Bridge Company.
4. Battersea Bridge } - -	Albert Bridge Company.
5. Albert Bridge - }	
6. Vauxhall Bridge - -	Vauxhall Bridge Company.
7. Lambeth Bridge - -	Lambeth Bridge Company.
8. Waterloo Bridge - -	Waterloo Bridge Company.
9. Deptford Creek Bridge -	Deptford Creek Bridge Company.
10. Chelsea Suspension Bridge -	The Commissioners of Her Majesty's Works and Public Buildings.

Part II.

11. Footbridge at Charing Cross Railway Station, as set apart for the use of foot passengers on the 1st day of January 1877.	South-eastern Railway Company.
12. Footbridge at Cannon Street Railway Station, as set apart for the use of foot passengers on the 1st day of January 1877.	

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