CHAPTER clxxix.

An Act for authorising Improvements in and near the Precinct of the Savoy and near Charing Cross, with a view to the opening of better communication with the Victoria Embankment, and for conferring powers on the Metropolitan Board of Works with reference to Tooting Graveney Common; and for other purposes. [2d August 1875.] A.D. 1875.

WHEREAS it is expedient that the Metropolitan Board of Works (in this Act called the Board) be empowered to make improvements in connexion with the Victoria Embankment in and near the precinct of the Savoy, which improvements would, among other advantages, have the effect of opening up communication with and making available for building purposes a plot of vacant ground belonging or reputed to belong to the Board, lying near and to the eastward of Adelphi Terrace (in this Act called the Board's vacant ground):

And whereas portions of the lands and buildings which will be affected by those improvements belong to Her Majesty the Queen in right of Her Duchy of Lancaster, and it is expedient that powers be conferred on the Chancellor and Council of the Duchy of Lancaster in consequence of and in connexion with those improvements, and in pursuance of an arrangement between them and the Board:

And whereas it is expedient that further powers be conferred on the Board in connexion with their authorised Charing Cross and Victoria Embankment Approach:

And whereas Tooting Graveney Common in the county of Surrey adjoins Tooting Beck Common, which has been placed under the authority of the Board under and by virtue of The Metropolitan Commons Act, 1866, and it is expedient that Tooting Graveney Common be also placed under their authority in manner in this Act provided:

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And whereas plans and sections, describing lines, situations, and levels of works, and delineating lands, and a book of reference thereto describing those lands, and containing the names of the owners or reputed owners, and lessees or reputed lessees, and of the occupiers thereof, were deposited in November last with the respective clerks of the peace for the counties of Middlesex and Surrey (which are respectively in this Act referred to as the deposited plans, sections, and book of reference) :

And whereas by The Finsbury Park Act, 1857, the Board were empowered to provide, form, and maintain a park for the use of the public, to be called Finsbury Park, situate in the parishes of St. Mary, Islington, and Hornsey, in the county of Middlesex, and for that purpose to purchase and take lands and property therein described :

And whereas by the same Act (section 20) the Board were required to make proper and convenient roads for preserving the communication between the lands belonging or reputed to belong to George Moore and Thomas Twining Wing, lying on the west and north sides of the park, so as to provide a thoroughfare from those lands into and out of the road called the Green Lanes leading to Southgate and into and out of the Seven Sisters Road, and it was thereby directed that those substituted roads should be completed before the existing communications between those lands were interfered with :

And whereas by the Metropolitan Board of Works Act, 1874, it was enacted (section 6) to the effect that, subject to the provisions of that Act, the Board might construct a new road commencing at or near the Finsbury Park Tavern, skirting Finsbury Park on the northern and western sides thereof, and terminating in the road adjoining the Green Lanes :

And whereas by the same Act (section 9) it was enacted to the effect following with respect to the road thereby authorised :

That the road which was intended to provide a thoroughfare from the Seven Sisters Road to the Green Lanes, and thereby secure the communications intended to be preserved by section 20 of The Finsbury Park Act, 1857, should, when complete, be deemed to be in substitution for the roads required to be made by that section ;

That the road should be completed and open to the public within two years from the passing of that Act ;

That no wall, fence, or other obstruction should be placed by the Board between the road and the lands of Frank Willan where

such lands abutted on the road, and that the said lands should have an uninterrupted building frontage to the road;

That the certificate of two justices to the effect that the road was complete should be conclusive evidence thereof;

That two justices should grant a certificate on the application of the Board, after reasonable notice given by them to the vestries of the parish of Hornsey, and to the persons for the time being interested in the making of the roads required by section 20 of The Finsbury Park Act, 1857, of the intention of the Board to make the application, and on being satisfied on view or by evidence of the completion of the road;

That on such a certificate being granted the road should become a public highway, and be repairable accordingly, excepting that the expense of lighting and maintaining it for the first eight years after its completion and opening should be paid by the Board;

That on such a certificate being granted, section 20 of the Finsbury Park Act, 1857, should be repealed, and the Board might close Finsbury Park at night, and at such other times as they thought expedient;

That the proceedings at law then pending between the parties entitled to the benefit of section twenty of the Finsbury Park Act, 1857, and the Board, should not be continued after the passing of the Act of 1874 now in recital, save only that the arbitrator should decide as therein mentioned respecting costs;

That the entrances to the part therein mentioned should, after the formation of the road, be kept and be open as therein mentioned:

And whereas by the same Act (section 10) it was provided to the effect that, after the road should have been completed and opened for public use, the owner for the time being of the lands mentioned in section 20 of The Finsbury Park Act, 1857, should be entitled to be paid by the Board compensation for all injury, loss, or damage sustained by reason of the substitution of the road for the rights given to him by that section, any benefits or advantages conferred by the Board on him being taken into account as therein provided:

And whereas at the passing of the Metropolitan Board of Works Act, 1874, the lands mentioned in section 20 of the Finsbury Park Act, 1857, had become or were reputed to be and now are or are reputed to be the property of Frank Willan:

And whereas Joseph Lucas is or claims to be owner of the site of other lands adjoining or near thereto:

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And whereas the road authorised by section 6 of the Metropolitan Board of Works Act, 1874, has not yet been begun:

And whereas the said Frank Willan and Joseph Lucas are desirous of obtaining the substitution of two roads on the sites shown on the deposited plans (and marked thereon Road No. 1 and Road No. 2) for part of the road authorised by The Metropolitan Board of Works Act, 1874, and the Board have agreed with them for such substitution, and it is expedient that the same be effected accordingly:

And whereas by The Metropolitan Street Improvements Act, 1872, the Board were empowered to make a new street, commencing at Saint John Street, opposite Wilderness Row, and terminating near the Farringdon Road at or near the Sessions House, Clerkenwell:

And whereas it is by that Act (section 12) enacted, to the effect that the Board shall not appropriate for building purposes any part of the properties in the parish of Saint John, Clerkenwell, therein described, but the same shall be thrown into and form part of the new street in Clerkenwell, and the connexion between that street and Clerkenwell Green shall be formed by a curve therein described:

And whereas such provision was made with a view to secure convenient access to properties belonging or reputed to belong to John Earley Cook:

And whereas it would be of great public advantage if an addition were made to the Sessions House, Clerkenwell, or its appurtenances, in manner shown on the deposited plans, and the said John Earley Cook having assented thereto, it is expedient that the same be effected accordingly:

And whereas plans and sections of the before-mentioned two proposed substituted roads, and showing the lands to be acquired for the purposes of the said Sessions House, were deposited in the month of April last with the clerk of the peace for the county of Middlesex:

And whereas by the Thames Embankment Act, 1862, section 28, it is (amongst other things) enacted that no house or building should be erected upon any part of the lands to be acquired or reclaimed as therein mentioned, situated between the River Thames and the gardens of the societies of the Inner and Middle Temple respectively other than any such porter's or gardener's lodges, alcoves, or other buildings of a like nature of only one floor each as should be from time to time, whether before or after the passing of

the said Act, approved by the First Commissioner of Her Majesty's Works and Public Buildings, by writing under his hand:

And whereas the said Honourable Society of the Inner Temple is about to extend certain buildings, called Harcourt Buildings, to the northern boundary of the lands referred to in the said 28th section of the lastly-recited Act; and the Honourable Society of the Middle Temple is about to extend, in a similar manner, certain buildings called Plowden Buildings, and it is expedient that the said section should be so far modified as to permit the construction of two ornamental towers or turrets projecting to an extent not exceeding ten feet or thereabouts, and of two ornamental bay windows and two ornamental piers to a central arch projecting to an extent not exceeding five feet or thereabouts, on land belonging to the said respective societies, and being land forming part of that referred to in the said 28th section:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

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

Short title.

1. This Act may be cited as The Metropolitan Board of Works (Various Powers) Act, 1875.

Provisions of certain general Acts incorporated.

2. The Lands Clauses Consolidation Acts, 1845, 1860, and 1869, (except section 133 of the first-mentioned Act, and except as far as those Acts are varied by or inconsistent with this Act,) are incorporated with and form part of this Act.

Power to take lands referenced.

3. Subject to the provisions of this Act, the Board may enter on, purchase, take, and use the lands delineated on and described in the deposited plans and book of reference; provided always, that the Board shall not purchase any estate, interest, or right in Tooting Graveney Common other than the estates, interests, or rights in respect of which compensation would or might be payable under the subsequent provisions of this Act.

Power for Board to make improvements.

4. Subject to the provisions of this Act, the Board may make and maintain, in the lines and according to the levels shown on the plans and sections deposited in November last, the improvements thereon shown, comprising the following; (that is to say,)

(1.) A road (No. 1) commencing at the roadway of the Victoria Embankment opposite the precinct of the Savoy, passing thence through a part of the embankment, and of the

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gardens thereof, and through lands belonging to Her Majesty the Queen in right of Her Duchy of Lancaster, and through the southern part of the Board's vacant ground, and terminating at the eastern boundary of the land and property of the Marquess of Salisbury adjoining the said ground;

(2.) The alteration from time to time in connexion with other improvements by this Act authorised of the footway and roadway of the Victoria Embankment at or near the precinct of the Savoy;

(3.) A road (No. 2) as an approach to the Board's vacant ground at the north-east corner thereof, from the southerly end of Little Savoy Street, otherwise Little Savoy Hill.

Board's roads to be part of roadway of embankment.

5. The roads (No. 1) and (No. 2) by this Act authorised shall, when made, be deemed part of the roadway of the Victoria Embankment for the purposes of sections three and four of the Thames Embankment (North) Act, 1872, and for all other purposes.

Power for Board to surrender land to Duchy.

6. The Board may, if they think fit, as part of the arrangement between the Board and the Chancellor and Council of the Duchy of Lancaster, grant to Her Majesty the Queen, her heirs and successors, in right of Her Duchy of Lancaster, two strips of land being parts of and at the easternmost end of the Board's vacant ground; any land so granted shall be deemed to be part of the improvable ground in the liberty of the Savoy within the meaning of certain letters patent of the 11th day of October, in the 51st year of the reign of King George the Third, and the issues, rents, revenues, and profits coming and growing from the same shall be divisible and applied accordingly.

Power for Chancellor and Council to make improvements.

7. Subject to the provisions of this Act, the Chancellor and Council of the Duchy of Lancaster may make, in the lines and according to the levels shown on the plans and sections deposited in November last, such of the improvements thereon shown as are not by this Act authorised to be made by the Board, comprising the following; (that is to say,)

(1.) A footway (No. 1) commencing near the southerly wall of the German Lutheran Chapel, in the precinct of the Savoy, and continuing directly to and terminating at the gardens of the Victoria Embankment:

(2.) A footway (No. 2) near the westerly end of the existing footway on the northerly side of the German Lutheran minister's house, and schoolhouse and premises:

(3.) The widening of Savoy Street by setting back the easterly fence of the burial ground belonging to the Chapel Royal of the Savoy, and the easterly wall of a house, No. 115 in the Strand, and by adding to the street part of the site of the German Lutheran Chapel:

(4.) The extension of Savoy Street to the Victoria Embankment:

and the same when made shall be opened to the public, and shall thenceforth be repaired and maintained by the Board of Works for the Strand District.

Powers of Duchy in relation to German Chapel, &c.

8. In relation to the German Lutheran Chapel, and the burial ground, minister's house, and schoolhouse and premises attached thereto, the Chancellor and Council of the Duchy of Lancaster are further hereby empowered in connexion with, and for the purposes of the improvements by this Act authorised to be made by them, and subject to the provisions of this Act, to do the following things; (namely,)

(1.) To remove the coffins and remains from the chapel and burial ground to and inter or deposit the same in such other graveyard or cemetery as the Chancellor and Council direct or approve, under such precautions for public health and decency, and for security of the men employed, as one of Her Majesty's Principal Secretaries of State thinks fit to direct:

(2.) To enter into and carry into effect arrangements with the proper parties respecting the providing of buildings elsewhere in substitution for the chapel and minister's house and schoolhouse and premises:

(3.) To acquire (by agreement) on behalf of Her Majesty, in right of Her Duchy of Lancaster, such lands and buildings, and to erect such buildings as the Chancellor and Council think proper for the completion of the last-mentioned arrangements:

and it shall be lawful for Her Majesty, her heirs and successors, in right of Her Duchy of Lancaster, with the advice and consent of the Chancellor and Council, either gratuitously or otherwise, to grant or assign the last-mentioned lands and buildings, or any estate or interest therein, to such persons to or upon such uses or trusts as Her Majesty, her heirs or successors, shall think proper for the completion of the last-mentioned arrangements.

Powers of Duchy in relation to lands, &c.

9. In relation to lands belonging to Her Majesty in right of Her Duchy of Lancaster required to be dealt with for the purposes of this Act, and to minor works required for better effectuating the

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arrangement between the Board and the Chancellor and Council of the Duchy of Lancaster, the Chancellor and Council are hereby further empowered to do the following things; (namely,)

(1.) To grant to the Board, in consideration and as part of the arrangement with them, the right to construct and maintain part of road (No. 1) and road (No. 2) in and over lands belonging to Her Majesty the Queen in right of Her Duchy of Lancaster:

(2.) To release to the Board, in consideration and as part of the arrangement with them, any rights of light and air now belonging to Her Majesty the Queen in right of Her Duchy of Lancaster over the Board's vacant ground:

(3.) To appropriate and use, for the purposes of any works by this Act authorised to be made by the Chancellor and Council, any lands belonging to Her Majesty the Queen in right of Her Duchy of Lancaster within the precinct of the Savoy, and with a view thereto to acquire by agreement the interest of any lessee or other person in any part of those lands:

(4.) After the widening of Savoy Street under this Act by adding to the street part of the site of the Lutheran Chapel, to stop up and discontinue as a public way the road on the southerly side of the said chapel, and on the westerly and southerly sides of the burial ground attached thereto, whereupon all rights of way in, over, or along that road shall be and the same are by virtue of this Act extinguished:

(5.) To appropriate and use for building or other purposes part of the site of the said chapel, and the whole or part of the burial ground, minister's house, and schoolhouse and premises attached thereto, and the whole or part of the last-mentioned road:

(6.) To put up and maintain, or from time to time to remove, wholly or partially, and reinstate fences, of such nature as the Board and the Chancellor and Council from time to time agree, along so much of the road (No. 1) and of the Victoria Embankment as will be on, over, or next to any land belonging to Her Majesty the Queen in right of Her Duchy of Lancaster, and as the Chancellor and Council think fit:

(7.) To construct and maintain over Savoy Street, as altered under this Act, and over the footway (No. 1) a bridge to

connect the Duchy House or Terrace with any buildings for the time being erected on the westerly side of the footway (No. 1). A.D. 1875.

Powers of Duchy in relation to money, &c.

10. In relation to the expenditure and charge of money for the purposes of this Act, the Chancellor and Council of the Duchy of Lancaster are hereby further empowered to do the following things; (namely,)

(1.) To defray such part of the costs and expenses preliminary to, or of or incidental to, the obtaining or the execution of this Act, as from time to time they deem necessary, or they and the Board agree:

(2.) To provide for those costs and expenses by means of sales from time to time of parts of the sum of three per centum consolidated bank annuities from time to time standing to the credit of the account of the Duchy of Lancaster in the books of the Governor and Company of the Bank of England:

(3.) To defray out of the annual revenues of the Duchy of Lancaster the expenses of maintaining, lighting, and cleansing the footways (No. 1) and (No. 2), and the widened and extended parts of Savoy Street, until the Board of Works for the Strand District become liable to maintain, light, and cleanse the same, and of hiring lands and buildings for the purposes, and pending the completion of the arrangements mentioned in section eight of this Act:

(4.) To deduct from the share payable to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, of any issues, rents, revenues, and profits at any time coming or growing from any lands within the liberty of the Savoy, and being divisible between Her Majesty in right of Her Duchy of Lancaster and those Commissioners, a like share of the last-mentioned expenses and of any dividends lost by any sale of bank annuities made in exercise of the foregoing power:

(5.) To recoup to the annual revenues of the Duchy of Lancaster for any of the ten years next after the passing of this Act, by means of sales from time to time of further parts of the bank annuities aforesaid, so much of the residue of the last-mentioned expenses and dividends and so much of the dividends on bank annuities sold as last aforesaid

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and not replaced under the proviso next herein-after contained, as shall not be covered by the share retainable for the use of Her Majesty in right of Her Duchy of Lancaster of the net issues, rents, revenues, or profits to come and grow in such year from the land which the Chancellor and Council are by sub-section 5 of the last foregoing section of this Act empowered to appropriate and use for building or other purposes:

Provided that when in any year after the passing of this Act the amount of such last-mentioned share shall exceed the amount of such residue and last-mentioned dividends, the amount of the excess, or a competent part thereof, shall be invested in the purchase of three pounds per centum consolidated bank annuities to be transferred into the name of the Duchy of Lancaster in the books of the Governor and Company of the Bank of England, until a total sum equal to that of any like annuities sold out as last aforesaid has been so purchased:

Provided also, that any rent, subject to which all or any part of such last-mentioned land shall be let jointly with any other hereditaments not being parcel of such last-mentioned land, shall for the purposes of this section be deemed to be apportioned between the land so let and such other hereditaments according to the relative areas thereof respectively.

Repeal of 11 Geo. 3. c. 34.

11. The Act of the eleventh year of King George the Third (chapter thirty-four), intituled "An Act for enabling certain persons "to enclose and embank part of the River Thames adjoining to "Durham Yard, Salisbury Street, Cecil Street, and Beaufort "Buildings, in the county of Middlesex," as far as the same affects any land within the precinct of the Savoy belonging to Her Majesty the Queen in right of Her Duchy of Lancaster, or the Board's vacant ground, or any lands acquired by the Board under this Act, is hereby repealed.

Repeal of part of sect. 62. of "The Thames Embankment Act, 1862," and enactment in substitution of it.

12. And whereas the rights of communication and access and egress by the 62nd section of the Thames Embankment Act, 1862, conferred on the Marquess of Salisbury, his heirs and assigns, to and from the land to be reclaimed and enclosed under the said Act and referred to in the said section, and the obligations of the Board in respect of the said rights, have been the subject of a suit in the Court of Chancery, in which the present Marquess of Salisbury, herein-after called the Marquess, is plaintiff and the Board are defendants, and it is mutually desired that all further litigation in

respect of the subject-matter of the said suit shall be put an end to between the parties; it is therefore enacted as follows:

(1.) All that part of the said 62nd section of the Thames Embankment Act, 1862, which follows the word "monuments" shall be and the same is hereby repealed:

(2.) Road No. 1, by this Act authorised to be made, shall, within 15 months from the passing of this Act, be constructed and continued by the Board over the vacant ground belonging or reputed to belong to them up to the eastern boundary of the land and property of the Marquess adjoining the said ground:

(3.) The Board shall also, within 15 months from the passing of this Act, construct, make, and finish a roadway of the width of 25 feet, running northwards from and out of the said road No. 1 to and into and communicating with the southern end of Carting Lane, as shown on the plan as signed by Richard Nicholson on behalf of the Marquess, and William Wyke Smith on behalf of the Board:

(4.) The Marquess, his heirs and assigns, and his and their sequels in right, and his and their lessees, tenants, and occupiers (duly authorised by him or them) of houses and premises in Cecil Street and Salisbury Street, and of the houses, lands, and premises lying between the houses at the southern ends of the said streets on the north and the Thames Embankment garden on the south, and of any other houses or premises near or adjoining thereto and belonging to the Marquess, shall have full and free rights of communications and access and egress at all times either on foot or with horses, carts, and carriages of any description, and for all purposes whatsoever to and into and over and along the said road No. 1, and the said road to be made therefrom to and communicating with the southern end of Carting Lane as aforesaid:

(5.) Upon the construction and completion by the Board of the said Road No. 1, and of the road to be made therefrom, all proper and necessary steps shall be taken for putting an end to the suit between the Marquess and the Board.

Improvements at Trinity Place, Charing Cross.

13. The Board, after acquiring the property in the parish of Saint Martin-in-the-Fields in the county of Middlesex, delineated on and described in the deposited plans and book of reference, may stop up permanently the entrance at the south-east end of Trinity Place, Charing Cross, there, and all rights of way and other rights

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through, in, or over that entrance or place shall thereupon be by virtue of this Act extinguished.

Regulation and management of Tooting Graveney Common.

14. From and after the passing of this Act, Tooting Graveney Common shall be regulated and managed by the Board as a place of recreation for the public, and for that purpose sections two to six (both inclusive) and nine and ten of the scheme for the establishment of local management with respect to Tooting Beck Common, confirmed by The Metropolitan Commons Supplemental Act, 1873, shall by virtue of this Act extend and apply to Tooting Graveney Common, and the Board may from time to time, if they think fit, contribute any sum not exceeding one thousand one hundred and fifty-five pounds towards the costs incurred before the passing of this Act by any persons in maintaining the rights of the commoners and others in and over Tooting Graveney Common by a suit in the Court of Chancery or otherwise; provided that no estate, interest, or right of a profitable or benefical nature in, over, or affecting the said common shall, except with the consent of the person entitled thereto, be taken away or injuriously affected by or under this Act, without compensation being made for the same, and such compensation shall, in case of difference, be ascertained in the same manner as if the same compensation were for the compulsory purchase and taking or the injuriously affecting of lands under the provisions of "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860."

Provision for compensation.

Corrections of errors, omissions, &c.

15. If any omission, mis-statement, or erroneous description is found to have been made of any lands, or of any owners, lessees, or occupiers of any lands described or intended to be described in the deposited plans or book of reference, the Board may apply to two justices for the correction thereof, after giving ten days notice to the owners, lessees, or occupiers of the lands affected by the proposed correction, and if it appears to the justices that the same arose from mistake they shall so certify, stating the particulars thereof, and their certificate shall be deposited with and shall be deemed to form part of the deposited plans and book of reference, and thereupon the deposited plans or book of reference (as the case requires) shall be deemed to be corrected according to the certificate, and the Board may enter on, take, hold, and use the lands accordingly.

Power to the Board, their surveyors, &c. to enter upon houses, &c.

16. The Board and their surveyors, officers, and workmen may from time to time at all reasonable times in the day, on giving in writing for the first time twenty-four hours, and afterwards from time to time twelve hours previous notice, enter into and upon lands authorised to be taken under this Act for the purpose of surveying

and valuing the same, without being deemed trespassers, and without being in any manner liable on account of entering or continuing thereon.

Verdict of value and damages to be ascertained separately.

17. The jury or arbitrator to whom any question of compensation under this Act is referred shall award all determinations, judgments, and verdicts which they make and give concerning the value of lands, or any share, estate, or interest therein, or charge thereon, separately and distinctly from the consideration of any other loss to which the occupier may personally be entitled, or any loss or damage to be sustained by any person in consequence of the execution of any of the powers of this Act, and shall distinguish the value set upon the lands, or share, estate, or interest therein, or charge thereon, and the money assessed or adjudged for such loss or damage as aforesaid, separately and apart from each other, and when any money is assessed or adjudged for such loss or damage as aforesaid the jury or arbitrator shall, if required by the Board, declare whether the statement delivered by the claimant of the manner in which any amount of money demanded as a compensation for the same was computed and made up, gave sufficient particulars to enable the Board to make a proper offer, and if that declaration is in the negative one half of the costs of summoning, empanelling, and returning the jury, and taking the inquiry and recording the verdict and judgment therein, or one half of the costs of the arbitration, shall be defrayed by the claimant and the remaining half by the Board, anything in The Lands Clauses Consolidation Act, 1845, notwithstanding.

Provisions for deficiencies in land tax.

18. The Board, in case they become possessed by virtue of this Act of any premises charged with land tax, shall, from time to time, until the works authorised by this Act to be executed by the Board are completed and assessed to land tax, be liable to make good the deficiency arising within the parish by reason of any lands having been taken or used for the purposes of this Act, computed according to the rental at which such lands with any buildings thereon were valued or rated at the time of the passing of this Act, and the Board shall pay all deficiencies on demand thereof to the collector of land tax, but without prejudice to the power of the Board to redeem such land tax.

Power to deviate.

19. In making the improvements by this Act authorised the Board and the Chancellor and Council of the Duchy of Lancaster respectively may deviate from the lines shown on the deposited plans to any extent within the limits of deviation thereon shown, and may deviate from the levels shown on the deposited sections to any extent not exceeding five feet upwards or five feet downwards.

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Alteration of position of water, gas, and other pipes.

20. The Board and the Chancellor and Council of the Duchy of Lancaster respectively may, for any purpose by this Act authorised, within the limits of deviation defined upon 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 for carrying a supply of water or gas, and also any pipe, tube, wire, or apparatus laid down for telegraphic or other purposes, and may remove any other obstruction, making in cases of alteration proper substituted works in the meantime, and causing as little detriment and inconvenience as circumstances admit to any company, person, or body, and making reasonable compensation to any company, person, or body who suffers damage by any such alteration.

Power to lay on carriage-ways, &c.

21. The Board may cause such part of the roads (No. 1) and (No. 2) to be laid out for carriageway, and such part thereof for footway, as they think proper, and the Board and the Chancellor and Council of the Duchy of Lancaster may construct, erect, and provide such vaults, cellars, arches, sewers, drains, and other works and conveniences as they think proper for the purposes of the improvements by this Act authorised within the limits of deviation defined on the deposited plans.

Limitation of time for purchase of lands and construction of works.

22. The powers of the Board for the compulsory purchase of lands under this Act shall not be exercised after the expiration of five years from the passing of this Act, and if any part of the improvements by this Act authorised to be executed by the Board is not completed within seven years from the passing of this Act, then on the expiration of that period the powers of the Board under this Act for the execution thereof shall cease to be exercised.

Plans deposited in April to be part of deposited plans.

23. The plans of the substituted roads and of the land to be appropriated for the purpose of the Clerkenwell Sessions House, deposited as aforesaid in April last with the clerk of the peace for the county of Middlesex, shall be kept with the other plans deposited in November last for the purposes of this Act, and shall for the purposes of this Act, and for all other purposes, be deemed to form part of the deposited plans.

Substitution of new roads for part of authorised road near Finsbury Park.

24. If within one month after the passing of this Act Frank Willan and Joseph Lucas grant to the Board, and the Board accept, on such terms and conditions as the parties agree on, the requisite sites for the two roads shown on the plans deposited in April last, the Board shall construct on those sites two roads in lieu of and in

substitution for so much of the road authorised by The Metropolitan Board of Works Act, 1874, as was proposed to be constructed between the points marked A and B on the said deposited plans.

Effect of Act of 1874 as to substituted roads.

25. The Metropolitan Board of Works Act of 1874 shall have effect as if the two roads by this Act authorised had been described in that Act in lieu of that portion of the road therein described for which those two roads are to be substituted, and as if in sub-section 3 of section 9 of that Act the lands of Frank Willan therein referred to had been the lands of Frank Willan and Joseph Lucas respectively.

Amendment of Act of 1874 respecting costs.

26. Notwithstanding anything in sub-section 7 of section 9 of The Metropolitan Board of Works Act, 1874, the arbitrator therein referred to shall decide by whom and how the costs of proceedings therein referred to, incurred before the passing of that Act, shall be borne and paid.

Grant for purposes of Sessions House, Clerkenwell.

27. The Board may appropriate and grant, for and to the use of the justices of the peace for the county of Middlesex, such part of the public street adjoining the Sessions House, Clerkenwell, on the southern side thereof, and described on the plans deposited in April last as land to be transferred to the said justices, as the Board think fit, and the same shall vest in the body or officer or person in whom the Sessions House is vested, and shall go along with and be deemed part of the appurtenances of the Sessions House.

Sale by Board of land to justices of Middlesex.

28. Notwithstanding anything in section 12 of The Metropolitan Street Improvements Act, 1872, it shall not be obligatory on the Board to throw into the new street in Clerkenwell such parts of the properties therein mentioned as are described as aforesaid on the said deposited plans, but the Board may sell and convey the same to or for the use of the justices of the peace for the county of Middlesex, for the purposes of the said county, at a price to be agreed on between the Board and the justices, or in default of agreement, to be settled by arbitration in manner provided by The Lands Clauses Consolidation Act, 1845, and Acts amending the same, and the justices may pay to the Board the price agreed on or settled by arbitration as aforesaid out of the county rates of the county of Middlesex, and may mortgage the county rates of the said county for the purpose of raising the price so agreed upon or settled by arbitration as aforesaid, and may appropriate and use the land when conveyed for building purposes, and such payment out or mortgage of the county rates, and such appropriation and use of the land shall be deemed to be within the provisions of the Act of the 8th and 9th years of the reign of Her present Majesty, chapter

A.D. 1875.

32, and of the Acts therein recited or referred to, but the line of frontage and elevation of any buildings from time to time built thereon shall be subject to the approval of the Board.

Width and curve of connecting street in Clerkenwell.

29. The Board, in the exercise of their powers under The Metropolitan Street Improvements Act, 1872, shall make the connexion in section 12 of that Act mentioned of a width of not less than forty feet, with a carriageway of a width of not less than thirty feet, and (notwithstanding anything in that section) by an easy curve commencing and terminating in or near the pieces of land therein described as No. 80 and No. 81 respectively.

The Societies of the Inner and Middle Temple empowered to build upon a small portion of their land referred to in the Thames Embankment Act, 1862.

30. Notwithstanding the provisions of the 28th section of the Thames Embankment Act, 1862, it shall be lawful for the Honourable Society of the Inner Temple to construct and maintain at the south-eastern extremity of the buildings proposed to be erected in extension of Harcourt Buildings a tower or turret, and also an ornamental bay window from the ground upwards, and the eastern pier of an ornamental central arch, and for the Honourable Society of the Middle Temple to construct and maintain at the south-western extremity of the buildings to be erected in extension of Plowden Buildings a tower or turret, and also a similar bay window and the western pier of the said central arch, provided that the said towers or turrets respectively shall not project more than ten feet, and that the said bay windows and piers respectively shall not project more than five feet on to the lands referred to in the said 28th section, and that the said towers and turrets, bay windows, and piers shall be constructed according to a plan and elevation to be previously approved by the Board.

Power to apply existing funds.

31. The Board may apply for the purposes of this Act any money raised or authorised to be raised by them under any other Act and not required for the purposes of that other Act.

Power to borrow money.

32. The Board may borrow such money 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 to be borrowed, shall extend and apply to such borrowing.

Saving rights of the Crown and Duchy of Lancaster.

33. Nothing contained in this Act, or in any of the Acts incorporated therewith, shall authorise the Board to take, use, or in any manner interfere with any land, soil, tenements, or hereditaments, or any rights of whatsoever nature belonging to, or enjoyed, or exerciseable by the Queen's most Excellent Majesty in right of Her Duchy of Lancaster, without the previous consent in writing of the

Chancellor of the Duchy of Lancaster, on behalf of Her Majesty, first had and obtained for that purpose, and as incidental to any such consent as aforesaid the Board may enter into any agreement with such Chancellor, who may join in every such agreement, conveyances, leases, licenses, or other deeds of or relating to any land, hereditaments, or rights belonging to Her Majesty in right of Her Duchy of Lancaster, or to the Board, shall be executed to give effect to such agreement, and every agreement so entered into as aforesaid shall be performed, and save and except as in this Act expressly provided as between the Board on the one hand and the Chancellor and Council of the Duchy of Lancaster on the other hand, and as between such Chancellor and Council on the one hand and the Commissioners of Her Majesty's Woods, Forests, and Land Revenues on the other hand, nothing in the said Act or Acts contained shall divest, take away, prejudice, diminish, or alter any estate, right, privilege, power, or authority now or from time to time vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors, in right of her said Duchy or of her Crown. A.D. 1875.

Expenses of Act.

34. So much of the costs, charges, and expenses preliminary to, and of and incidental to, the preparing of, applying for, obtaining, and passing of this Act as is not defrayed by the Chancellor and Council of the Duchy of Lancaster shall be paid by the Board.

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