CHAPTER cvi.

An Act to confer further Powers on the Metropolitan Board of Works as to Streets Bridges and open Spaces as to the Drainage of a detached portion of Clerkenwell Parish and for other purposes. [12th July 1887.] A.D. 1887.

WHEREAS it is expedient that the Metropolitan Board of Works (hereinafter referred to as "the Board") should be authorised to make the street improvements and works hereinafter mentioned and that the vestry of the parish of Camberwell and the board of works for the Greenwich district should be empowered to contribute towards the cost of the Canterbury Road bridge and the approaches thereto hereinafter mentioned:

And whereas the Board have caused to be deposited with the clerks of the peace for the counties of Middlesex Kent and Surrey plans and sections showing the lines and levels of the works by this Act authorised and the lands on which the same will be made and plans of the lands which may be taken compulsorily under the powers of this Act and a book of reference 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 herein referred to respectively as the deposited plans sections and book of reference:

And whereas the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 provided that certain lands coloured blue green and purple respectively on the Gray's Inn Road plan as therein mentioned should be exclusively appropriated to the erection of artizans' dwellings sufficient to accommodate not less than one thousand two hundred persons belonging to the labouring classes and it is expedient that the Board should appropriate for the above purposes in substitution for so much of the land coloured purple on the said plan as forms part of and lies to the north of Elm Street a piece of land lying to the south of Elm Street which piece of land together with the lands coloured blue and green and so much of the land coloured purple on the Gray's Inn Road plan as lies to the south of Elm Street will when appropriated to the erection of 45 & 46 Vict. c. ccxxii.

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artizans' dwellings be sufficient to accommodate not less than one thousand two hundred persons of the labouring classes:

And whereas doubts have arisen as to the powers of the Board in selling or letting on lease certain of the lands appropriated in connection with the Gray's Inn Road improvement to the erection of artizans' dwellings:

34 & 35 Vict. c. clxxxi.

And whereas Wandsworth Common is now subject to the control and management of the Wandsworth Common conservators under and by virtue of the Wandsworth Common Act 1871 and it would be of public advantage that the powers and functions of the Wandsworth Common conservators should be transferred to the Board and that Wandsworth Common should be vested in the Board to be maintained for ever as an open space and recreation ground:

And whereas it is expedient to authorise the Board to purchase a certain piece of land in the parish of Plumstead situate on the north side of Bostall Heath and that the said piece of land should be added to and form part of Bostall Heath and to vest in the Board a piece of open land at Brook Green in the parish of Hammersmith and that the said piece of land should be added to and form part of Brook Green:

And whereas it is expedient to enable the Board to purchase by agreement certain houses buildings and lands known as Ravenscourt Park in the parish of Hammersmith so that the same may be held by the Board as a public park for the perpetual use thereof for exercise and recreation and to provide that the vestry of the said parish shall contribute towards the cost of acquiring and laying out Ravenscourt Park as a public park:

And whereas the Lewisham district board of works are desirous of acquiring as an open space or recreation ground a piece of land near St. John's Church in the hamlet of Penge and of applying towards the expenses thereof a fund under their control amounting to one thousand seven hundred and twenty-two pounds twelve shillings and elevenpence and known as the "Gravel Allotment Fund" and it is expedient that the Board should be empowered to contribute to the cost of providing the said open space and recreation ground:

And whereas the sewage and drainage of a detached portion of the parish of St. James Clerkenwell which is situated at Muswell Hill could not be carried to the main drainage system of the metropolis without great and unnecessary expense and it would be of public advantage that any sewers constructed therein by the Board should be made to communicate with the sewers of some one or more of the adjoining local authorities:

And whereas it may be convenient to erect and maintain urinals watercloset and other conveniences for public accommodation in

the parks and open spaces under the control and jurisdiction of the Board : A.D. 1887.

And whereas the works which the Board were authorised to make by the Metropolitan Street Improvements Act 1877 and the Metropolitan Bridges Act 1881 and the Metropolitan Board of Works (Bridges) Act 1884 are approaching completion and it is expedient that the powers of the said Acts for the compulsory purchase of certain lands and for the completion of certain works should be extended : 40 & 41 Vict. c. ccxxxv. 44 & 45 Vict. c. cxcii. 47 & 48 Vict. c. ccxxviii.

And whereas the objects aforesaid cannot be accomplished 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.—PRELIMINARY.

Short title.

1. This Act may be cited as the Metropolitan Board of Works (Various Powers) Act 1887.

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 street improvements" means Canterbury Road bridge and approaches and the widening of Elm Street authorised by this Act ;

"Wandsworth Common conservators" means the body of conservators incorporated under the Wandsworth Common Act 1871 ;

"The detached portion of Clerkenwell parish" means the detached portion of the parish of Clerkenwell which is situate at Muswell Hill and joins the local board districts of Tottenham Hornsey and Friern Barnet ;

"The Gray's Inn Road plan" means the plan deposited under the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 with the respective clerks of the peace for the county of Middlesex and the city of Westminster ;

"The Lands Clauses Acts" means the Lands Clauses Consolidation Acts 1845 1860 and 1869 (except section 133 of the Lands Clauses Consolidation Act 1845) as amended by the Lands Clauses (Umpire) Act 1883 ;

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"Metropolis" means the metropolis as defined by the Metropolis Management Act 1855;

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

"Street authority" means with respect to any parish mentioned in Schedule A to the Metropolis Management Act 1855 or to any district formed by the union of the parishes mentioned in Schedule B to the said Act the vestry of such parish or the board of works for such district as the case may be and the term "district" in relation to a street authority means the area subject to the jurisdiction of such street authority;

"Justice" means justice of the peace acting for the county borough liberty or place where the matter requiring the cognizance of any such justice shall arise and who shall not be interested in the matter When any matter shall require to be done before justices the expression "two justices" shall be understood to mean two justices assembled and acting together in petty sessions or a metropolitan police magistrate sitting alone;

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

"Person" includes corporation:

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 always that for the purposes of this Act the expression "the promoters of the undertaking" in the Lands Clauses Acts shall be construed to mean the Board 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.

Division of Act into parts.

3. This Act is divided into Parts as follows:—

I.—Preliminary.

II.—Street Improvements.

III.—Open Spaces &c.

IV.—Disposal of Sewage in the detached portion of Clerkenwell Parish.

V.—Miscellaneous.

Incorporation of Lands Clauses Acts.

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

Power to Board to appoint committees.

5. The Board may from time to time appoint a committee or authorise any committee or committees appointed by the Board for other purposes to manage and transact all or any of the matters or purposes which the Board are by this Act empowered to do or perform and any such 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 may see fit to delegate to them.

PART II.—STREET IMPROVEMENTS.

Power to make certain works.

6. Subject to the provisions of this Act in the lines according to the levels and within the limits of deviation shown on the deposited plans and sections the Board may make and carry into execution all or any of the works described in this Act that is to say :—

Canterbury Road Bridge and Approaches.

A bridge over the Grand Surrey Canal on the site of the existing swing bridge over the same at the northern end of the Canterbury Road partly in the parish of St. Paul Deptford and partly in the parish of Camberwell in the county of Surrey with approaches thereto as follows :—

On the south side commencing in the said Canterbury Road at or near the boundary between the said two parishes opposite the junction of Penarth Street and Canterbury Road and terminating at the said bridge.

On the north side commencing at the southern end of Ilderton Road at or near its junction with Verney Road in the parish of Camberwell and terminating at the said bridge at or near the boundary between the said two parishes.

An approach road commencing at the bridge carrying the South London line of the London Brighton and South Coast Railway over the site of a new road called Stockholm Road between the said canal and Zampa Road in the parish of St. Paul Deptford and terminating in the said parish of Camberwell by a junction with the approach last hereinbefore described about two chains northward of the said bridge and the Board in constructing the said bridge and approaches may construct dams or other works in the Grand Surrey Canal.

Widening of Elm Street.

The widening of Elm Street on the southern side thereof between Gray's Inn Road and Mount Pleasant in the parish of St. Andrew Holborn.

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For the protection of the Surrey Commercial Dock Company.

7. In exercising the powers by this Act conferred the Board and all other persons exercising or claiming to exercise such powers shall be subject to the following provisions for the protection of the Surrey Commercial Dock Company (hereinafter called the dock company) and of the Surrey Canal (hereinafter called the canal):—

(1.) Nothing in this Act shall empower the Board to purchase or take any land or property of the dock company but the Board shall have without payment the easement or right of constructing maintaining and from time to time repairing and renewing the bridge and works authorised by this part of this Act and the approaches thereto and the works connected therewith so far as they will be made across or upon the canal towing-path and lands of the dock company.

(2.) For the purpose of constructing the bridge authorised by this part of this Act (hereinafter called "the bridge") the Board may remove the existing swing bridge over the canal at the northern end of Canterbury Road and the piers thereof at such time and in such manner as may be approved by the engineer for the time being of the dock company.

(3.) The bridge shall be constructed as a flat girder bridge with proper fences and approaches thereto having between the abutments a span of such extent not exceeding thirty-six feet in the clear as may be required by the engineer of the dock company and also having a clear headway throughout of not less than ten feet above the top water level of the canal.

(4.) The Board shall execute such works as may be necessary for forming beneath the said bridge the navigable waterway of such depth and width and a towing-path on the north side of such width respectively as may be required by the engineer of the dock company and for that purpose shall construct a proper wall for retaining the said towing-path.

(5.) For a distance of twenty-five feet from the bridge on either side splayed wing walls shall be constructed to retain the banks of the canal and to provide for the waterway being gradually contracted to the width which it will have beneath the bridge between the abutment on the south and the wall of the towing-path on the north and the space behind such walls shall be properly filled and levelled up with good and sufficient materials to the reasonable satisfaction of the engineer of the dock company.

(6.) The Board shall leave on the south side of the bridge an opening through the approach having a clear span of not less than thirteen feet and a clear headway of not less than twelve feet in every part and shall form a carriageway under the same

and approaches thereto with gradients not steeper than one in twenty with proper provisions for drainage.

(7.) Wherever the works by this Act authorised will interfere with any side drains of the canal the Board shall make good and sufficient brick or cast iron culverts not less than three feet in diameter at such level and in such line and direction as shall be approved by the engineer of the dock company so as to admit of the free course of water through the same.

(8.) During the making of the bridge and any repair or renewal thereof there shall at all times be left open and uninterrupted a navigable waterway in the canal of not less than nineteen feet in width and an open and uninterrupted passage which shall not without the written consent of the engineer of the dock company have a less headway than ten feet clear above the top water level of that canal and there shall also be left open and uninterrupted a passage of not less than five feet in width for the towing-path.

(9.) The working drawings of the bridge and approaches and the works connected therewith so far as they affect the lands or property of the dock company shall before the commencement of such works be deposited at the office of the dock company and the said works shall not be commenced until the said working drawings shall (subject as hereafter mentioned) have been approved by the engineer of the dock company unless such engineer fails to signify his approval or disapproval or to give other directions within fourteen days after the deposit as aforesaid of such plans and all works under the authority of this Act in or through the lands of the dock company or affecting the canal shall be done to the reasonable satisfaction of the engineer of the dock company and under his supervision.

(10.) The dock company and all persons authorised by them from time to time shall have under the said side bridge on the south side of the canal the same rights of passage and way as are now vested in the dock company in respect of the bank of the canal which will be covered by the said side bridge.

(11.) The Board shall at all times (subject to the provision hereinafter contained) maintain and keep in proper repair the bridge and approaches and all works under the authority of this Act on over or affecting the canal and the land of the dock company and shall make good all damage that may be occasioned to the canal or works of the dock company by or in consequence of the removal of the said existing swing bridge or the piers thereof or of any default in constructing maintaining

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or keeping in proper repair the bridge and works by this Act authorised and if for seven days after notice in writing given to the Board by the dock company the Board neglect to proceed with due diligence to make good such damage the dock company may if they think fit and without prejudicing their remedies against the Board for any neglect default or omission on their part make good the same and the amount expended by them in so doing and any incidental costs and expenses shall on demand be paid to them by the Board as damages Provided always that in any case of pressing necessity the dock company may proceed to make good such damage without giving such notice as aforesaid but without prejudice to their aforesaid remedies and without prejudice to their right to claim and recover repayment from the Board on demand of the amount so expended by the dock company.

(12.) If by reason of any acts of the Board otherwise than as authorised by this Act or of the want of repair of any of the works by this Act authorised the canal or the said towing-path shall be so obstructed that vessels boats or barges or the horses drawing the same shall not be able freely to pass along that canal or towing-path as heretofore the Board shall pay to the dock company as liquidated damages fifty pounds for every day on which such obstruction shall occur or continue together with full costs of action.

(13.) As from the date when under the provisions of this Act the maintenance and repair of the bridge and approaches so far as they will be situate over the canal towing-path and land of the dock company shall become vested in the vestry of the parish of Camberwell or the board of works for the Greenwich district such vestry or district board as the case may be shall become liable to the obligations with respect to the maintenance and repair of the said bridge and approaches so far as they affect the canal towing-path and lands of the dock company to which the Board are made liable under this Act instead of the Board and the Board shall be relieved therefrom.

(14.) If any difference or dispute shall arise between the engineer of the Board or of the said vestry or district board and the dock company's engineer as to the execution of the works to be done by the Board or such vestry or district board under this Act the same shall be from time to time referred to and settled by an engineer to be agreed upon between the Board or such vestry or district board and the dock company or in case of difference to be appointed on the application of either the Board

or the dock company by the president for the time being of the Institution of Civil Engineers and the costs of such arbitration shall be in the discretion of the arbitrator.

(15.) Except as by this Act expressly provided nothing in this Act contained shall take away lessen prejudice alter or affect any of the rights privileges or property powers or authorities of the dock company.

Power of vestry and district board to contribute to expenses of Canterbury Road bridge and approaches.

8. The vestry of the parish of Camberwell and the board of works for the Greenwich district or either of them may contribute or agree to contribute to the Board towards the cost and expenses to be incurred by the Board in executing the Canterbury Road bridge and approaches any sum or sums not exceeding in the whole one half of the amount of such cost and expenses as estimated by the Board and for the purpose of making any such contribution and payment or any part thereof the said vestry and district board respectively may borrow of the Board and the Board may (subject to the provisions of any Act of Parliament for the time being in force relating to loans by the Board to a vestry or district board) lend to the said vestry and district board respectively the requisite moneys and for the purpose of securing the repayment with interest of any moneys to be borrowed as aforesaid the vestry and district board respectively may mortgage and assign over to the Board all the moneys or rates authorised to be raised by the said vestry and district board respectively 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 and district board respectively under this section of this Act.

As to land of the Haberdashers' Company.

9. And whereas the construction of the bridge over the Grand Surrey Canal authorised by this part of this Act will be beneficial to land vested in the worshipful the master wardens and court of assistants of the Haberdashers' Company (commonly and hereinafter called "the Haberdashers' Company") which is held by them for charitable purposes and it is expedient that powers should be given to that company to assist in the construction of the said bridge Therefore it shall be lawful for the Haberdashers' Company on the one hand and the Board on the other hand to enter into and carry into effect any agreement or agreements for the gift by the Haberdashers' Company to the Board of such part of the lands vested in the said company as may be required for the purpose of the said bridge and approaches or works incidental thereto and for the contribution by the Haberdashers' Company of any sum or sums of money in aid of the construction of the said bridge and works Provided that any such agreement under which the

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company shall agree to make for the purposes aforesaid any larger contribution than the sum of four hundred pounds in addition to the gift of such part of the said lands as may be required for the purposes aforesaid shall be subject to the approval of the Charity Commissioners.

If the contributions amount to one-half of the estimate of cost the Board shall construct the said bridge and approaches.

10. If the sums contributed or agreed to be contributed on such terms and security as the Board may approve by the said vestry district board company and any person or persons whose lands have been taken for or whose lands would be benefited by the construction of the said bridge and approaches shall be so contributed or agreed to be contributed as aforesaid within twelve months from the passing of this Act and shall amount to one-half the costs and expenses of the said bridge and approaches as estimated by the Board after allowing for the re-sale of lands purchased but not required for the purposes of the works the Board shall proceed to construct the said bridge and approaches and to make and carry into execution all works in connection therewith.

The bridge and approaches to form a street.

11. When the bridge and approaches authorised by this Act are made a certificate thereof shall be passed under the common seal of the Board and any copy of such certificate certified under the hand of the clerk of the Board shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and so much of the said bridge and approaches as shall have been laid out for carriageways or footways shall form a street and may be used by the public accordingly The soil under the said approaches except in so far as it belongs to the dock company shall be vested in the Board and the paving maintenance repair cleansing and lighting of the bridge and approaches shall be under the care management control and jurisdiction of the street authority of the district in the same manner as other public roads and streets in their district but the Board may order that the whole or any part of the said bridge and approaches as to paving maintenance repair cleansing and lighting shall be under the exclusive care management control and jurisdiction of either the vestry of the parish of Camberwell or the board of works for the Greenwich district in the same manner as other public roads and streets in their respective districts on such terms and subject to such conditions as may be agreed upon between the vestry and the district board or in the event of difference as shall be settled by the Board.

Declaration as to powers of selling or leasing certain lands.

12. Whereas doubts have arisen as to the effect and operation of section 3 of the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 upon the powers given to the Board by

section 33 of the Metropolitan Street Improvements Act 1877 and it is desirable to remove such doubts:

Now it is hereby further enacted that nothing in section 3 of the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 shall be construed to have taken away or prejudicially affected or to take away or prejudicially affect any of the powers given to the Board by the 33rd section of the Metropolitan Street Improvements Act 1877 to acquire or appropriate and to sell or let all or any of the lands referred to in the last-mentioned Act and section for the purpose of the erection or adaptation and continuance thereupon of suitable dwelling-houses or lodging-houses for persons of the labouring classes and to enter into such contracts and agreements as to the Board should seem fit with respect to the sale or letting of such land or any part of the same and the terms conditions and restrictions as to elevation size and design of the dwelling-houses to be erected or adapted or continued thereupon for the purposes aforesaid and to the extent of the accommodation to be afforded thereby and notwithstanding anything in section 3 of the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 to the contrary all acquisitions or appropriations and all sales lettings grants conveyances leases contracts and agreements already made executed or entered into or hereafter to be made executed or entered into by the Board in accordance with the provisions of section 33 of the Metropolitan Street Improvements Act 1877 with respect to the said lands or any part of the same or any lands by section 2 of the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 required to be appropriated for the erection thereon of artizans' dwellings or any land to be substituted therefor shall be and be considered to have always been valid and effectual accordingly.

Substitution of lands to be appropriated to erection of artizans' dwellings.

13. From and after the passing of this Act section 2 of the Metropolitan Street Improvements Act 1877 (Amendment) Act 1882 so far as it imposes obligations upon the Board not to remove the buildings on the land coloured purple on the Gray's Inn Road plan until artizans' dwellings have been erected on the lands coloured green on the said plan and to appropriate the said land coloured purple to the erection of artizans' dwellings is repealed:

And the Board shall acquire and appropriate for the erection of artizans' dwellings so much of the land on the south side of Elm Street shown on the deposited plans and coloured purple on the Gray's Inn Road plan and of the lands which the Board are empowered to purchase and acquire under the Metropolitan Board of Works (Various Powers) Act 1884 as is not required for the widening of Elm Street and as will with the lands coloured blue and green on

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the Gray's Inn Road plan be sufficient to accommodate not less than one thousand two hundred persons belonging to the labouring classes.

The Board may upon the passing of this Act remove buildings from and may sell in fee simple or for any less estate or let such portion of the said pieces of land before mentioned or any part or parts thereof to any purchasers or lessees for the purposes and under the condition that such purchasers or lessees will on the land so purchased by or leased to them erect artizans' dwellings and in particular the Board may insert in any grant or lease of any part of such pieces of land provisions binding the grantee or lessee to build thereon as in the grant or lease prescribed and to maintain and repair the buildings and prohibiting the division of buildings and any addition to or alteration of the character of buildings without the consent of the Board and for the re-vesting of the land in the Board or their re-entry thereon on breach of any provision in the grant or lease.

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

14. The Board for the purposes and during the making of the street improvements may in or upon the lands shown in connection therewith upon the deposited plans stop up or cause to be stopped up temporarily all or any part of the carriageways or footways of streets 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 bars posts and other erections 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.

15. Subject to the provisions of this Act the Board may for the purposes of and in connection with the street improvements alter the lines or levels of any of the streets and places described on the deposited plans as intended to be diverted raised or lowered in such manner as may be described on such plans.

Power to deviate from levels &c.

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

Power to make subsidiary works.

17. Subject to the provisions of this Act and within the limits defined on the deposited plans the Board in connection with and for the purposes of the works by this Act authorised may make junctions and communications with any existing streets intersected or interfered with by or contiguous to the said works and may

divert widen or alter the line or level of any existing street for the purpose of connecting the same with the said works or of crossing under or over the same or otherwise and may alter divert stop up use or appropriate all or any part of any street and alter and interfere with any drain or sewer providing a proper substitute before interrupting the flow of sewage in any such drain or sewer The soil of any street or any part of any street stopped up or diverted and appropriated by the Board under this Act and the paving metalling or materials in on or under any street so altered diverted or stopped up and of any drain or sewer so altered shall vest in the Board 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.

Alteration of position of water gas and other pipes.

18. The Board may for any purpose in connection with any of the street 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 adjoining or near to the street improvements respectively 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 for telegraphic or other purposes and any pipe tube wire or apparatus laid down 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 Board 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 Board) 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 Board shall execute such work to the reasonable satisfaction of the engineer of such company or person Provided also that the Board shall not cause any street to be lowered or

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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 Board 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 Board in such case provide special means of access to the same to the satisfaction of the engineer of such company or person:

Provided also that nothing in this section shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Act 1882 which the Board may have power to alter under section fifteen of the said Act:

If any difference arise between the Board 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 Board 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 Board 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 Board 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 Board 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 Board 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-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Board empowered to lay out carriageways &c.

19. The Board may cause such parts of the street improvements to be laid out for carriageways and such parts thereof for footways 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 carriageways and footways and works the Board 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 when they stop up temporarily any thoroughfare or any part thereof in the repairing or repaving of any street within the metropolis.

Directing how the pavement shall be laid and made.

20. The Board shall for the purposes of and in connection with the street improvements in a substantial and workmanlike manner fill or caused 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 may be 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 nothing herein contained shall extend or be construed to extend to charge the Board 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 street authority of the district in which the same are situate or by such street authority as the Board may order or by any other parties or persons liable to repair the same and the right and property in all such pavements and arches shall belong to and be the property of such street authority or of such parties or persons in the same manner as things of a like description in such district are now vested in them by law respectively.

Sewers or drains to be arched over or filled up.

21. The Board may cause to be arched over or filled up all such sewers or drains or parts thereof which shall lie and be in or near the streets to be interfered with for the purposes of and in connection with the street improvements as shall appear necessary for executing the purposes of this Act so as that no public sewer or drain whatsoever (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 Board 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

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jurisdiction care management and direction as the existing sewers or drains.

Power to alter steps areas pipes &c.

22. The Board within the limits of deviation defined on the deposited plans may for the purposes of and in connection with the street 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 water courses 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 Board shall make reasonable compensation to any company society or person who suffers damage by any such alteration.

Period for completion of street improvements.

23. If any part of the street improvements be not completed within four 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 of such part of such improvements or otherwise in relation thereto shall cease to be exercised except so far as the same shall have been then completed.

Limitation of time for purchase of lands.

24. The powers of the Board for the compulsory purchase or taking of lands for the purposes of the street improvements shall not be exercised after the expiration of three years from the passing of this Act.

PART III.—OPEN SPACES, &c.

Wandsworth Common.

Transfer of power of Wandsworth Common conservators to Board and vesting of common in Board.

25. Subject to the provisions of this Act all the rights property powers functions privileges authorities liabilities and obligations granted to or imposed on the Wandsworth Common conservators by the Wandsworth Common Act 1871 except the levying of a rate shall be transferred to and vested in the Board and Wandsworth Common as defined by the Wandsworth Common Act 1871 together with any land purchased accepted or held by the conservators under the authority of that Act shall upon the passing of this Act vest in the Board for all the estate and interest therein which immediately before the passing of this Act were vested in and belonged to the conservators.

Discharge of liabilities and obligations of conservators.

26. After the passing of this Act the Board shall discharge and pay all liabilities and obligations incurred by the Wandsworth Common conservators under the powers of the Wandsworth Common Act 1871 including the interest on all loans made to the conservators as it falls due and all costs charges and disbursements incurred and

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due by the conservators at the passing of this Act in respect of any legal proceedings and of the opposition to this Act (after taxation by the proper officer if required by the Board) but if on the passing of this Act there shall remain a balance in the hands of the Wandsworth Common conservators after paying and satisfying all their debts liabilities and obligations they shall pay such balance to the Board and subject thereto all the rights property powers functions privileges and authorities of the conservators shall on the passing of this Act cease and determine and from that date it shall not be lawful for them to incur any fresh liabilities or obligations.

Board shall preserve the common as an open space.

27. The Board shall at all times preserve Wandsworth Common (including any land of the said conservators vested in the Board under this Act) as an open space for the perpetual use thereof by the inhabitants of the metropolis for exercise and recreation and may exercise all necessary powers for maintaining and preserving the same as an open space.

Bye-laws as to Wandsworth Common.

28. From and after the vesting of Wandsworth Common in the Board as in this Act provided all the provisions of the Metropolitan Board of Works Act 1877 with respect to the making contents confirmation approval allowance publication and evidence of bye-laws and to securing the observance of the same and the penalties and proceedings before justices and the recovery and application of penalties and generally with respect to the parks and heaths or commons shall extend and apply to Wandsworth Common as if it had been included among the parks heaths and commons in respect of which bye-laws were by the Metropolitan Board of Works Act 1877 authorised to be made by the Board.

Compensation to clerk of the conservators.

29. The Board shall grant by way of compensation for the abolition of office an allowance to the clerk of the Wandsworth Common conservators subject to the following conditions namely:—

(1.) That such clerk shall be in the actual employment of the conservators immediately before the vesting of the common in the Board and shall have been in such employment for a continuing period of not less than two years previous to the first day of January one thousand eight hundred and eighty-seven.

(2.) That the amount of such allowance shall be such as would be payable on retirement to such clerk 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 conservators and if ten years were added to the number of years he may have actually served.

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(3.) That in estimating such allowance the salary of the clerk shall be calculated on the average of the salary actually received during the two years next preceding the first day of January one thousand eight hundred and eighty-seven subject to deductions for all outgoings and expenditure necessarily incurred by him in respect to his office and not paid for by the conservators.

(4.) That no such allowance shall exceed two-thirds of the salary upon which the same shall be estimated.

Every such allowance shall be payable by two half-yearly payments the first of such payments to be made at the expiration of six months from the date of the vesting of the common in the Board Provided always that the Board may at any time agree with the clerk for the commutation of such allowance.

Bostall Heath.

Power to purchase a piece of land to the north of Bostall Heath in the parish of Plumstead.

30. The Board may purchase and acquire a piece of land situate on the north side of Bostall Heath shown on the deposited plans and thereon coloured red and described in the deposited book of reference and the said piece of land shall vest in the Board and shall be added to and form part of Bostall Heath as the same is defined in the scheme confirmed by the Metropolitan Commons Supplemental Act 1877 and for all purposes of improvement management and bye-laws the said piece of land shall be considered to form part of Bostall Heath and to be subject to the provisions of the said scheme in all respects as though it had been comprised therein.

Brook Green.

Vesting in the Board a piece of land near Brook Green.

31. Upon the passing of this Act a piece of open land at Brook Green in the parish of Hammersmith lying on the western side of Shepherd's Bush Road and shown on the deposited plans and thereon coloured green and described in the deposited book of reference shall vest in the Board free from all rights in over or affecting the same and shall be added to and form part of Brook Green and for all purposes of improvement management and bye-laws the said piece of land shall be considered to form part of Brook Green and all bye-laws and regulations in force with regard to Brook Green shall apply to and be in force with regard to the said piece of land.

Ravenscourt Park.

Power to purchase Ravenscourt

32. The Board may purchase and acquire by agreement certain houses buildings and lands comprising about thirty-two acres known

as "Ravenscourt Park" and if and when the Board shall have purchased the same the Board shall subject to the provisions of this Act hold the same and every part thereof as a park and open space and shall lay out maintain and preserve the same and every part thereof as a park and open space for the perpetual use thereof by the public for exercise and recreation and may from time to time exercise all necessary powers for the maintenance and preservation of the same as a park and open space.

Park by agreement.

33. The Board may maintain the mansion house and any other houses or buildings in Ravenscourt Park and may use the same or allow the same to be used for any public purposes or in connection with the maintenance of Ravenscourt Park as a park or open space and may erect and maintain in Ravenscourt Park such convenient or ornamental buildings as they may think requisite for the accommodation of keepers constables and other officers or as lodges sheds or toolhouses to be used in connection with the maintenance of Ravenscourt Park as a park and open space.

Power to maintain and erect certain buildings.

34. Subject to the provisions of this Act the Board may from time to time after purchasing Ravenscourt Park purchase by agreement any estates interests and rights in over or affecting the same for the better execution of this part of this Act with respect to the maintenance and preservation of Ravenscourt Park as a park and open space and for the purpose of applying the provisions of the Lands Clauses Acts with respect to the purchase and taking of lands by agreement under this Act the term "lands" in the said provisions shall be considered to include such estates interests and rights.

Power to purchase rights &c. over Ravenscourt Park.

35. When the Board have purchased under this Act any estate interest or right in over or affecting the land of Ravenscourt Park they may as they may think most expedient with a view of securing the use of Ravenscourt Park by the public for the purposes prescribed by this part of this Act either extinguish the same or retain hold and exercise the same wholly or partially.

Power to extinguish rights &c. when purchased.

36. From and after the purchase of Ravenscourt Park by the Board as in this Act provided all the provisions of the Metropolitan Board of Works Act 1877 with respect to the making contents confirmation approval allowance publication and evidence of bye-laws and to securing the observance of the same and the penalties and proceedings before justices and the recovery and application of penalties and generally with respect to the parks and heaths or commons shall extend and apply to Ravenscourt Park as if it had been included among the parks heaths and commons in respect of

Bye-laws as to Ravenscourt Park.

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which bye-laws were by the Metropolitan Board of Works Act 1877 authorised to be made by the Board.

Contributions by vestry of Hammersmith to expenses of Board in relation to Ravenscourt Park.

37. The vestry of the parish of Hammersmith shall and they are hereby required from time to time to contribute towards the cost and expenses of the Board in relation to the purchase and acquisition of Ravenscourt Park and the purchase acquisition and extinction of all estates rights and interests in over or affecting Ravenscourt Park such sums on account of such cost and expenses as the Board may from time to time require to the extent of but not exceeding one-half of such cost and expenses and the said vestry may for the purpose of paying any such contribution or any part thereof borrow of the Board and the Board may (subject to the provisions of any Act of Parliament for the time being in force relating to loans by the Board to a vestry) lend to the vestry the requisite moneys and for the purpose of securing the repayment with interest of any moneys to be borrowed as aforesaid the vestry may mortgage and assign over to the Board 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 vestry under this section of this Act.

Penge Recreation Ground.

Power to Lewisham district board to purchase Penge Recreation Ground.

38. The Lewisham district board may purchase and acquire for the purposes of a recreation ground and an approach thereto the whole or any part of a piece of land near St. John's Church in the hamlet of Penge and lying between Dulwich Road and Laurel Grove as shown on the deposited plans and thereon coloured blue and described in the deposited book of reference and shall hold and maintain the same for the purposes of a recreation ground and an approach thereto for the public benefit of the inhabitants of the metropolis.

Contribution for Penge Recreation Ground.

39. The Board may out of any money raised or authorised to be raised by them contribute towards the expenses incurred by the Lewisham district board in the acquiring of the said piece of land any sum not exceeding two thousand five hundred pounds or if one-half of such expenses shall not amount to the sum of two thousand five hundred pounds any sum not exceeding one-half of such expenses and the Lewisham district board shall be bound at all times to maintain the said piece of land as a place of recreation and an approach thereto and in a good state of repair to the satisfaction in all respects of the Board.

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Application towards expense of the purchase of the sum of 1722*l.* 12*s.* 11*d.*

40. The Lewisham district board may call in a fund amounting to one thousand seven hundred and twenty-two pounds twelve shillings and eleven pence or thereabout which is invested on mortgage in the names of Theophilus William Williams of Borrowdale Laurie Park Gardens Sydenham Alfred Joseph Keen of Result House Croydon Road Penge and William Hudson Griffin of Warwick Villa Anerley Road Penge and which is known as the "Gravel Allotment Fund" and shall apply the same to and towards the expenses to be incurred by the Lewisham district board in acquiring and laying out the said piece of land as a recreation ground and an approach thereto and in carrying into execution the powers of this Act so far as they relate to the district board.

District board empowered to pay expenses connected with recreation ground out of general rate &c.

41. The Lewisham district board may from time to time out of and by means of the general rate which they have power to levy within their district defray all costs and expenses which have been or may be incurred by them in acquiring laying out planting maintaining and improving the said recreation ground and in carrying into execution the powers of this Act so far as they relate to the district board and so far as they have not been herein specially provided for and for the purposes aforesaid the district board may also exercise the powers of borrowing money and of mortgaging charging and applying the general rate and otherwise contained in the Metropolis Management Act 1855 or in any Act or Acts amending the said Act of 1855.

District board may make bye-laws as to recreation ground.

42. The Lewisham district board may subject to the provisions of this Act from time to time make bye-laws for all or any of the following purposes (namely):—

For protection of the said recreation ground and the approach thereto and of the railings and fences thereof and of the lamp-posts and other things thereon:

For protection of any trees shrubs plants flowers grass walks seats and other things thereon:

For the prevention of posting of bills or placards and the writing stamping cutting printing drawing or making in any manner of any word or character or of any representation of any object on any wall railing fence tree lamp-post pavement or seat or elsewhere in the said recreation ground or the approach thereto:

For preservation of order and good conduct amongst persons frequenting the said recreation ground and the approach thereto:

Generally for prevention or restraint of acts or things tending to the injury or disfigurement of the recreation ground and the

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approach thereto or anything in the same or to interfere with the use thereof by the public for the purpose of exercise and recreation.

Extending Act of 1855 to such bye-laws.

43. The provisions of the Metropolis Management Act 1855 as to bye-laws made by a district board shall extend and apply to the bye-laws to be made by the Lewisham district board under this Act and for this purpose section 202 of the said Act of 1855 shall extend and apply to such last-mentioned bye-laws.

PART IV.—DISPOSAL OF SEWAGE IN THE DETACHED PORTION OF CLERKENWELL PARISH.

Power of Board to agree as to drainage of detached portion of the parish of St. James Clerkenwell.

44. The Board may by agreement with the local authorities of the adjoining local board districts of Tottenham Hornsey and Friern Barnet or with any one or more of them cause any sewer or sewers constructed or to be constructed by the Board in the detached portion of the Clerkenwell parish to communicate with the sewers of one or more of such local authorities in such manner and on such terms and subject to such conditions as may be agreed on between the Board and one or more of such local authorities or as in case of dispute may be settled by the Local Government Board after holding (if necessary) a local inquiry.

If Board cannot agree with an adjoining local authority the Local Government Board shall decide.

45. If the Board is unable to agree with any one or more of the adjoining local authorities as to the making of a communication between any sewer or sewers constructed or to be constructed by the Board in the detached portion of the Clerkenwell Parish the Local Government Board may after holding (if necessary) a local inquiry decide and determine whether any and if any which sewer or sewers belonging to any one or more of such local authorities shall be made to connect with the sewer or sewers constructed or to be constructed by the Board in the detached portion of the Clerkenwell parish and if the Local Government Board shall decide and determine that any sewer or sewers of the Board constructed or to be constructed in the detached portion of the Clerkenwell parish shall be made to communicate with the sewer or sewers of any one or more of such local authorities the Local Government Board may further decide and determine the manner in which and the terms and conditions subject to which such communication shall be made and the decision and determination of the Local Government Board in respect of all the above matters shall be final and conclusive.

Storm water so far as possible to be excluded from sewers.

46. The Board shall so far as is practicable prevent the storm waters from flowing into any sewer or sewers constructed or to be constructed by the Board in the detached portion of the Clerkenwell parish.

Only sewage of district to pass into sewers.

47. The Board shall not without the consent of the local authority or authorities with whose sewer or sewers any sewer or sewers constructed or to be constructed by the Board in the detached portion of the Clerkenwell parish are made to communicate permit or suffer any district or place beyond the area of the detached portion of Clerkenwell parish to drain into or otherwise to be connected with any sewer or sewers constructed by the Board which may discharge into the sewer or sewers of any one or more of such local authorities and notwithstanding any power in any general Act to the contrary no outside district or place shall have any power to drain into or otherwise to be connected with any sewer or sewers constructed by the Board in the said detached portion of Clerkenwell parish.

As to inquiries under this part of Act.

48. For the purpose of any inquiry under this part of this Act the Local Government Board and their inspectors shall have all such powers as they have for the purposes of inquiries directed by that Board under the Public Health Act 1875.

There shall be paid to the Local Government Board any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

Such expenses shall be paid in such manner and in such proportions as the Local Government Board may direct either by the Board or by any other local authority taking part in the inquiry or by the Board and such other local authority jointly.

Application of money paid to local authority.

49. Any money paid under this part of this Act by the Board to any local authority shall if a gross sum be applied by such local authority in reduction of debt or to some other purpose to which capital is properly applicable and the borrowing powers of such local authority shall be reduced accordingly and if an annual sum shall be carried to the credit of the district fund of such local authority.

PART V.—MISCELLANEOUS.

Power of Board to erect and maintain conveniences in parks and open spaces.

50. The Board may erect and maintain in proper and convenient situations on any part of the lands maintained by them as parks or open spaces urinals waterclosets and other conveniences for public accommodation and may provide and employ attendants thereat and may pay the same such salary or wages as the Board may think fit and may charge for the use of such waterclosets and other conveniences for public accommodation such fees as the Board with the

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sanction of one of Her Majesty's principal Secretaries of State may from time to time fix and determine.

Extending powers of compulsory purchase.

51. The powers of the Board for the compulsory purchase of lands and property for the purposes hereinafter mentioned are hereby extended as follows :—

The powers for the compulsory purchase of lands and property for the purpose of the Gray's Inn Road improvement so far as described in Part I. of the schedule to this Act are hereby further extended to the first day of August one thousand eight hundred and eighty-eight ;

The powers for the compulsory purchase of the lands and property in the parish of Saint Andrew Holborn referred to in the 42nd section of the Metropolitan Board of Works (Various Powers) Act 1884 are hereby extended to the first day of August one thousand eight hundred and eighty-eight ;

The powers for the compulsory purchase of lands and property in the parish of Saint Luke Chelsea for the purpose of the new Battersea Bridge authorised by the Metropolitan Bridges Act 1881 are hereby further extended to the first day of August one thousand eight hundred and eighty-eight and shall then absolutely cease and determine ;

The powers for the compulsory purchase of land and property for the purpose of the said bridge as altered and the approach thereto authorised by the Metropolitan Board of Works (Bridges) Act 1884 so far as those lands are described in Part II. of the schedule to this Act are hereby extended to the first day of August one thousand eight hundred and eighty-eight and shall then absolutely cease and determine.

Extension of time for completion of works.

52. The period limited by the Metropolitan Street Improvements Act 1877 for the completion of the Gray's Inn Road improvement is hereby extended until the first day of August one thousand eight hundred and eighty-nine and the periods limited for the completion of works by the Metropolitan Bridges Act 1881 in connection with Vauxhall and New Battersea Bridges and by the Metropolitan Board of Works (Bridges) Act 1884 in connection with New Battersea Bridge and the works by that Act authorised are hereby extended until the first day of August one thousand eight hundred and ninety.

Power to take lands for purpose of improvements.

53. Subject to the provisions of this Act the Board 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 this Act and in connection with the street improvements and for providing space for the erection of

houses and buildings adjoining or near to the said improvements For the purposes of or in connection with the street improvements the Board may enter upon and use temporarily any road within the limits of deviation shown on the deposited plans and also any lands roads footways or towing paths within the limits of deviation shown on the deposited plans having given three weeks previous notice in writing to the owners and occupiers of the same of their intention to enter upon the same for such purposes and without being required to purchase or acquire the said premises or any of them and making compensation to the persons and in the manner prescribed by sections forty-three and forty-four of the Railways Clauses Consolidation Act 1845 in all cases where the Company shall not be required to purchase lands and where they shall take temporary possession of lands by virtue of the powers in the special Act granted and for the purposes of this Act the expression "the Company" in the said sections shall mean the Board. A.D. 1887.

Act not to authorise taking twenty houses of persons of the labouring class in any parish.

54. Nothing in this Act authorises the Board to purchase twenty or more houses in any parish in the metropolis as defined by the Metropolis Management Act 1855 which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purpose of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

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

55. Persons empowered by the Lands Clauses Consolidation Act 1845 to sell and convey or release lands may (if they think fit) subject to the provisions of that Act and of the Lands Clauses Consolidation Acts Amendment Act 1860 and of this Act grant to the Board or the Lewisham district board any easement right or privilege (not being an easement of water) 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 rent-charges 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.

Power to Board to purchase an

56. The Board may (if they think fit) purchase and take an easement or right of constructing maintaining and repairing the

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easement over Grand Surrey Canal.

bridge by this Act authorised over the Grand Surrey Canal and the towing path and banks thereof without being required to purchase and take the said canal towing path or banks or the soil thereof or any part thereof.

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

57. If any omission misstatement 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 Board may after ten days notice to the owners lessees and occupiers of the lands affected by such proposed correction apply to two justices for the correction thereof and if it shall appear to such justices that such omission misstatement or erroneous description arose from mistake they shall certify the same accordingly and they 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 such certificate 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 Board may take the lands in accordance with such certificate.

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

58. The Board and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Board 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 into and upon 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.

Costs of arbitration &c. in certain cases.

59. The arbitrator arbitrators umpire or jury to whom any question of compensation under this Act is referred shall if so required by the Board award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Board by the claimant giving sufficient particulars and in sufficient time to enable the Board to make a proper offer and if he or they 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

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the person with whom the Board shall have such controversy or dispute and the remaining half shall be defrayed by the Board 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 of Justice by order in chambers in a summary way to permit any claimant to alter and amend the statement in writing of the claim delivered by him to the Board 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 and such amendment to be subject to such terms enabling the Board 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.

Redemption of land-tax on land acquired by Board.

60. The Board in case they shall become possessed by virtue of this Act of any land charged with land-tax shall within two years of their obtaining possession of such land proceed to redeem such land-tax in accordance with the powers in that behalf given by the Acts for the redemption of the land-tax.

Power to sell materials.

61. The Board 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 paving metalling and materials in under or upon any road street or other place which the Board are by this Act authorised to enter upon take or use in the execution of any of the powers of this Act and any materials obtained in the alteration of or interference with any drain or sewer shall vest in the Board and they may sell or otherwise dispose of the same.

Power to lease surplus lands.

62. In case any lands acquired by the Board under the powers of this Act for any of the street improvements shall not be required for such improvements the Board may when and as they shall think fit so to do demise and lease such lands or such parts thereof as the Board 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 Board shall think proper for any term or number of years to determine at or before the expiration of ninety-

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nine years from and after the passing of this Act 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 Board 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 Board shall reasonably be advised or require and also a clause in the nature of the condition of re-entry on non-payment of the rent thereby to be reserved or on 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 Board shall order and direct and the Board 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 Board 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 Board 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 Board shall think fit.

As to sale of ground-rents.

63. Subject to the provisions of this Act the Board 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 Board 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 Board 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 Board by re-entry on such lands on breach of any such stipulation or provision or otherwise in such manner in all respects as the Board shall think fit.

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

64. Subject to the provisions of this Act the Board may if they think it expedient so to do sell and dispose of in the manner hereinbefore directed all or any lands acquired under the powers of this Act for any of the street improvements and not required for such 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 Board 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 Board 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 Board by re-entry on such lands on breach of any such stipulation or provision or otherwise in such manner in all respects as the Board shall think fit.

Board may let or exchange lands.

65. The Board 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 any of the street improvements and not required for such improvements and may execute and do any deed act or thing proper for effectuating any such lease exchange or other disposition.

Board to dispose of lands not wanted.

66. Subject to the provisions of this Act the Board shall on or before the first day of February in the year one thousand nine hundred and forty-one which period shall be the prescribed period for the purposes of section one hundred and twenty-seven of the Lands Clauses Consolidation Act 1845 sell and dispose of all lands acquired by them under the powers of this Act and which shall not be required for any of such improvements.

Receipts of Board to be effectual discharges.

67. The receipt of the Board or of any person duly authorised by the Board for any purchase-moneys rents or profits or money payable to the Board by virtue of this Act shall be a sufficient and effectual

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discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the same 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 Board to make agreements with owners of property &c.

68. The Board 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 any of the street improvements with respect to the sale by the Board to such person of any lands or property (including any street or thoroughfare or any part of a street or thoroughfare acquired by the Board under the powers of this Act and not required for any of such improvements) for such consideration as may be agreed upon between the Board and such person and the Board 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 Board for the purposes of this Act.

As to stamps on conveyances.

69. The purchase acquisition and taking by the Board of a piece of land to the north of Bostall Heath of Ravenscourt Park of Penge Recreation Ground as to the effecting of all and each of which transactions power is given by this Act shall in each case be evidenced by a deed or deeds of conveyance duly stamped.

Within three months from the date of any such deed or deeds the same shall be produced to the Commissioners of Inland Revenue and in default of any such production the ad valorem duty together with interest at the rate of five pounds per centum per annum shall be recoverable from the Board with full costs of suit and all costs and charges attending the same.

Power of Board to defray expenses as if incurrred under 18 & 19 Vict. c. 120.

70. The Board may from time to time defray the expenses incurred by them in the execution of this Act and not otherwise provided for by this or any other Act in like manner in every respect 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.

Expenses of Act.

71. The costs charges and other expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Board.

SCHEDULE referred to in the foregoing Act.

Lands in respect of which powers of compulsory purchase are extended.

PART I.

Lands required for the Gray's Inn Road Improvement authorised by the Metropolitan Street Improvements Act 1877.

All lands in the parishes of Saint Pancras and Saint Andrew Holborn which are shown on the plans deposited on behalf of the Board with the clerk of the peace for the county of Middlesex in the month of November 1876 in relation to the application for the Metropolitan Street Improvements Act 1877 as being north of the street described on the said plans as Liquorpond Street now called Clerkenwell Road which lands and properties are numbered on the said plans and in the book of reference deposited with the said plans as follows—

Numbers on Plan and Book of Reference.	Parish.
1, 2, 3, 4, 5, 6 - - - -	St. Pancras.
250 to 311 inclusive, 259A - - -	St. Andrew Holborn

PART II.

Lands required for New Battersea Bridge under the Metropolitan Board of Works (Bridges) Act 1884.

Lands shown on the plans deposited on behalf of the Board with the clerk of the peace for the county of Middlesex in the month of November 1883 in relation to the above-named Act which lands are numbered on the said plans and in the book of reference deposited with the said plans as follows—

Numbers on Plan and Book of Reference.	Parish.
1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 29, 30, 31, 40, 41, 42, 43, 45, 46, 47, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73.	St. Mary Battersea
1, 2, 3, 4 - - - - -	St. Luke Chelsea

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