CHAPTER cxcii.

An Act for enabling the Metropolitan Board of Works to construct New Bridges over the Thames at Putney and Battersea with approaches thereto; to alter and reconstruct Vauxhall and Deptford Creek Bridges; for amending the Metropolis Toll Bridges Act 1877; and for other purposes. [11th August 1881.]

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WHEREAS by the Metropolis Toll Bridges Act 1877 provision was made for throwing open for the free use of the public certain toll bridges within the metropolis: 40 & 41 Vict. c. xcix.

And whereas the Metropolitan Board of Works under the authority of the said Act have acquired (amongst others) the following bridges over the River Thames (that is to say):—

The existing bridge known as Fulham or Putney Bridge;

The existing bridge known as Battersea Bridge;

The existing bridge known as Vauxhall Bridge;

and the existing bridge over the River Ravensbourne at or near its mouth or outlet into the River Thames known as the Deptford Creek Bridge, and the same have been opened, and are now open to the public free from toll in pursuance of the provisions of the said Act and the Metropolitan Board of Works are required to maintain and repair the same:

And whereas the said existing Fulham or Putney Bridge and the said existing Battersea Bridge are in a dangerous condition and unfit for general traffic, and it is expedient to make provisions such as are in this Act contained for enabling the Metropolitan Board of Works to build new bridges in lieu thereof and to provide proper approach roads to such new bridges respectively:

And whereas the existing Vauxhall Bridge is so constructed as to be inconvenient to navigation and it is expedient that the Metropolitan Board of Works should be empowered to alter the said bridge in the manner by this Act authorised;

And whereas the existing Deptford Creek Bridge is unsafe for general traffic and it is expedient that the Board should be authorised

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to reconstruct and widen the same and that provisions should be made such as are in this Act contained in respect thereto and to the opening and removing of the drawbridge or swing bridge therein by the Board of Works for the district of Greenwich, and for the contribution of moneys by the Metropolitan Board of Works towards the expenses of such opening and removing:

And whereas the undertaking of the Hammersmith Bridge Company including the approach roads to the bridge known as Hammersmith Bridge was transferred to and became vested in the Metropolitan Board of Works on the 26th day of June 1880 under and by virtue of the Metropolis Toll Bridges Act 1877 and it is expedient that the limits of the said approach roads should be specifically defined and that provisions should be made such as are in this Act contained with respect to the maintenance repair and lighting of the said roads and that the Hammersmith Bridge Company should be relieved from all obligation or liability in respect thereof:

And whereas a certain agreement bearing date the fourth day of June 1863 with respect to lighting certain lamps on the Hammersmith Bridge and the approaches thereto and to the laying of mains along the said bridge was made between the Hammersmith Bridge Company and the Brentford Gas Company and was in force immediately before the said transfer to and vesting in the Metropolitan Board of Works of the said undertaking of the Hammersmith Bridge Company and it is expedient that the same should be made binding upon the Metropolitan Board of Works to the extent in this Act specified:

And whereas it is expedient for the purposes herein-before mentioned to empower the Metropolitan Board of Works to construct the works by this Act authorised and to acquire such lands rights and easements as may be necessary therefor:

And whereas with a view of diminishing the expense to be incurred by the Metropolitan Board of Works in the execution of the works by this Act authorised it is expedient to provide as in this Act mentioned for the sale letting or disposal of such of the lands which they may acquire under the authority of this Act as they may not require for the purposes thereof:

And whereas the Metropolitan Board of Works have caused to be deposited with the respective clerks of the peace for the counties of Middlesex Surrey and Kent plans and sections describing the line situation and levels of the proposed works and the lands or other property in or through which the said works will be made or which may be taken for the purposes thereof or under the powers of this Act and books of reference containing the names of the owners

and lessees or reputed owners and lessees and of the occupiers of the lands and property and describing the same lands and property and such plans sections and books of reference are herein-after respectively referred to as the deposited plans sections and books of reference:

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):—

Short title.

1. This Act may be cited as the Metropolitan Bridges Act 1881.

Incorporation of general Acts. 8 & 9 Vict. c. 18. 23 & 24 Vict. c. 106. 32 & 33 Vict. c. 18.

2. The Lands Clauses Consolidation Acts 1845 1860 and 1869 (except section one hundred and thirty-three of the Lands Clauses Consolidation Act 1845), so far as they are applicable for the purposes of and are not inconsistent with this Act are hereby incorporated with this Act.

Interpretation of terms.

3. 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 Board" shall mean the Metropolitan Board of Works;

"The improvements" shall mean the bridges approaches roads and works by this Act authorised;

"Deptford Creek Bridge Act" shall mean the Act passed in the forty-third year of King George III. intituled "An Act for "building a bridge over the River Ravensbourne at or near its "mouth or outlet into the River Thames in the county of Kent "and for making and maintaining proper approaches thereto;" 43 Geo. 3. c. cxxxi.

"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. 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;

"Road authority" and the term "district" in relation to a road authority shall have respectively the same meanings as are assigned to the same terms respectively in the Tramways Act 1870; 33 & 34 Vict. c. 78.

"The conservators" means the Conservators of the River Thames;

And the several words and expressions to which by the Acts

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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;

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 partially 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.

Execution of Act.

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

Board may appoint committee.

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

Board may make bridges approach roads and 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 maintain except as herein-after expressly provided the following bridges approach roads and works namely:—

(1.) A new bridge across the River Thames (herein-after referred to as "New Putney Bridge") commencing in the parish of Putney and county of Surrey at or immediately to the west of the brick pier of the aqueduct carrying over the River Thames the pipes of the Chelsea Waterworks Company on the Surrey shore of the River Thames in that parish and terminating in the parish of Fulham and county of Middlesex at or immediately to the west of the brick pier of the said aqueduct on the Middlesex shore of the River Thames in that parish;

And in connexion with New Putney Bridge the following approach roads thereto namely:—

In the county of Surrey and parish of Putney.

(*a.*) An approach road (herein-after referred to as the "High Street approach road") commencing in High Street about twenty-five yards south of the junction of Albert Row or Place therewith and terminating at the commencement of the New Putney Bridge herein-before described; and

(*b.*) An approach road (herein-after referred to as the "Windsor Street approach road") commencing in Windsor Street at a point about thirty yards east of the

junction therewith of River Street and terminating by a junction with the "High Street approach road" at or near the commencement of the said New Putney Bridge herein-before described; and

In the county of Middlesex in the parish of Fulham:—

(*c.*) An approach road commencing at or near the point where High Street Church Street and Bridge Street meet and terminating at the termination of the said New Putney Bridge herein-before described;

(2.) A new bridge across the River Thames (herein-after referred to as "New Battersea Bridge") to be situate partly on the same site as and partly on the eastern side of and immediately adjacent to the existing bridge known as Battersea Bridge and commencing in the parish of St. Mary Battersea in the county of Surrey at or near the "Swan" public-house on the east side of Bridge Road and terminating at or near the wall of the Chelsea Embankment at the point where it joins the existing Battersea Bridge in the parish of St. Luke Chelsea in the county of Middlesex;

And in connexion with New Battersea Bridge the following approach roads thereto namely:—

In the county of Surrey and parish of St. Mary Battersea:—

(*d.*) An approach road adjacent to and on the east side of Bridge Road commencing by a junction with Bridge Road about thirty yards south of Wellington Lane and terminating at the commencement of New Battersea Bridge;

In the county of Middlesex and parish of St. Luke Chelsea:

(*e.*) An approach road formed in part by altering the level of Beaufort Street from a point about forty yards north of the junction therewith of Lindsey Row and in part by continuing Beaufort Street partly over the site of the approach to the existing Battersea Bridge and partly over the Chelsea Embankment up to and terminating at the termination of New Battersea Bridge; and

(*f.*) An approach road formed by altering the level of the roadway and footway of the said Chelsea Embankment from a point eighty yards or thereabouts east of Beaufort Street to and terminating in the approach road (*e*) lastly herein-before described at or near the termination of New Battersea Bridge; and

(*g.*) An approach road formed by altering the level of Lindsey Row commencing about eighty yards west of Beaufort Street and terminating in the approach road (*e*)

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herein-before described where Lindsey Row joins Beaufort Street.

(3.) The alteration of the bridge across the River Thames known as Vauxhall Bridge partly in the parish of St. Mary Lambeth in the county of Surrey and partly in the parish of St. John the Evangelist Westminster in the county of Middlesex by removing the two central piers and converting the three central arches into one span or opening and the reconstruction in whole or in part of the said bridge accordingly;

(4.) The reconstruction in whole or in part and the widening and altering of the existing swing bridge in the county of Kent which crosses Deptford Creek partly in the parish of St. Alphage Greenwich and partly in the parish of St. Nicholas Deptford and connects Bridge Street in the said parish of St. Alphage Greenwich with Creek Road in the said parish of St. Nicholas Deptford and herein-after referred to as "Deptford Creek Bridge;"

And the Board may make and maintain in connexion with the bridges approach roads and works herein-before described all such viaducts embankments piers wharves walls fences drains stairs buildings and all such works and conveniences as they may deem proper And for the purposes aforesaid or any of them the Board may subject to the provisions of this Act alter and interfere with the banks bed soil and foreshore of the River Thames and may make dams and drive such piles in the bed of the said river and may erect such temporary staging in upon or over the said river and Deptford Creek as may be necessary or convenient and may do and execute every other work and thing necessary or convenient for any of the purposes aforesaid.

Board may acquire part of churchyard of St. Mary Putney.

7. The Board may purchase and take a piece of land not exceeding in extent sixty square yards forming part of and on the north-west side of the churchyard attached to the church of St. Mary Putney which churchyard is shown on the deposited plans and may notwithstanding that the said churchyard is marked on the said plans as "outside the limits" appropriate and use the same piece of land for the purpose of the approaches to New Putney Bridge on the Surrey side.

The Board on the one hand and the vicar and churchwardens for the time being of the parish of St. Mary Putney on the other hand may enter into and carry into effect by any deed or deeds an agreement or agreements as to the purchase money or other consideration to be given by the Board for the acquisition and use of the said piece of land and (if so agreed between the Board and the said vicar and churchwardens) the consideration or part of the consideration for such acquisition and use may and shall be the addition

to the said churchyard and conveyance by the Board to the vicar for the time being of the said parish as an addition to such churchyard of a piece of land not less in extent than that taken by them and the alteration of the footpaths and surface of the churchyard so as to provide a convenient access to the said approaches and the improvement of the said churchyard by planting or otherwise and the Board may alter the said footpaths and surface and improve the said churchyard accordingly.

Power to deviate.

8. In making any of the bridges or any of the alterations to any bridge by this Act authorised the Board may deviate to any extent not exceeding three feet six inches from the levels thereof respectively defined on the deposited sections and in making any of the approach roads and works by this Act authorised and any of the works for or connected with the same the Board may deviate to any extent not exceeding five feet from the levels respectively 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 and beyond those limits with the consent of the owners lessees and occupiers of the lands through which any such deviation is to be made but not otherwise.

Board may stop up carriage ways, &c., during execution of works.

9. The Board during the making of any of the improvements may in or upon the lands shown upon the deposited plans stop up or cause to be stopped up all or any part of the carriageways or footways of streets which they may think necessary for the purposes of this Act to be stopped up and for that purpose may 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 passage of carts carriages and horses as to them shall seem proper.

Board may stop traffic over existing bridges during execution of works.

10. The Board may if they think fit during the execution of any of the works by this Act authorised which affect any of the said existing bridges wholly or partially stop the traffic over the same for such time and to such extent as they may think necessary and they may in every such case if they think fit provide for such traffic either by means of a temporary bridge or other structure to be erected by them for such purpose or in such manner as they shall deem expedient.

Power to make subsidiary works.

11. Subject to the provisions of this Act and within the limits defined on the deposited plans the Board in connexion with the improvements and as part and for the purposes thereof may make junctions and communications with any existing streets intersected or interfered with by or contiguous to the works and may divert widen or alter the lines or levels of any existing streets for the purpose of connecting the same with the works or of crossing under or over the

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same or otherwise and may alter divert stop up inclose use or appropriate all or any part of any street square place court alley or passage whether a thoroughfare or not and the paving metalling or materials therein thereon or forming part of the same shall vest in the Board and the Board may also alter and interfere with any drain or sewer but the Board shall provide a proper substitute before interrupting the flow of sewage in any such drain or sewer 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 are so substituted.

Board may alter position of water, gas, and other pipes.

12. The Board may for any purpose in connexion with the improvements upon the lands acquired by them under the powers of this Act and also in any street within the limits of deviation defined 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 adjoining or near to the improvements 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 subject to the provisions of the Telegraph Act 1878 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 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 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 twenty-four hours 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 the work or discontinues the same during the work and the Board shall execute such work to the reasonable satisfaction of the engineer of such company or person.

41 & 42 Vict. c. 76.

Condition on which certain road in parish of Fulham may be stopped up.

13. The Board shall not permanently stop or cause to be permanently stopped up the whole or any part of the carriageway or footways of the street or road numbered on the deposited plans 5 in the parish of Fulham until they have completed and opened for public traffic the roads affording access to the approach road to New Putney Bridge in the said parish authorised by this Act which roads are

shown and coloured green and yellow respectively upon a certain plan marked B and signed by the Right Honourable George John Browne, Baron Monteagle, the Chairman of the Committee of the House of Lords to whom the Bill for this Act was during its progress referred a copy of which plan has been deposited in the office of the Clerk of the Parliaments such roads being of a width of not less than 40 feet with a gradient as to the said road coloured yellow not steeper than 1 in 21 and with a gradient as to the said road coloured green not steeper than 1 in 33 and the Board are hereby authorised and required to make the said roads so shown and coloured as aforesaid together with and as part of such approach road as aforesaid and the same shall be deemed to form part of and shall be part of such approach road.

In case of interference with barge-beds and draw docks Board to provide substitutes.

14. Whenever the Board shut up or take away or in any manner obstruct the free use and enjoyment of any barge bed draw dock or other convenience for loading or unloading goods they shall forthwith by way of full compensation and in discharge of all claims in respect of any rights whether public or private to the use or enjoyment of such barge bed draw dock or other convenience so shut up taken away or obstructed provide and thenceforth maintain a convenient barge bed draw dock or other convenience for loading or unloading goods instead thereof and all such rights as aforesaid shall be exerciseable and enjoyable in on or over such barge bed draw dock or other convenience so provided in every respect as they might have been exercised or enjoyed in on or over the barge bed draw dock or other convenience so taken away shut up or obstructed.

Board may regulate navigation near works in River and Deptford Creek.

15. The Board may from time to time make such regulations with respect to the navigation of the River Thames or Deptford Creek at and near all places in the said river and creek at or near which the Board is about to carry or is carrying, into execution the powers by this Act conferred upon them with respect to the erection alteration and reconstruction strengthening or widening of the bridges and works connected therewith and the removal of existing bridges as they may think necessary or expedient. Provided always that no such regulation shall be of any force or effect unless and until the same has been approved by the Conservators.

Board may underpin or otherwise strengthen walls near works.

16. The Board may at their own costs and charges underpin or otherwise strengthen any wall or building within fifty feet of the works by this Act authorised and which it may be necessary to underpin or otherwise strengthen. Provided that at least ten days notice shall unless in case of emergency be given to the owner lessee and occupier of the wall or building intended to be under-

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pinned or otherwise strengthened and such notice shall be left on the premises and that the Board shall be liable to compensate the owner lessee and occupier of every such wall or building for any inconvenience loss or damage which may result to him or them by reason of the exercise of the powers granted by this enactment. Provided also that if the owner lessee or occupier of any such wall or building shall give within seven days after such notice as aforesaid counter notice in writing that he disputes the necessity of such underpinning or strengthening the question of the necessity shall be referred to a civil engineer to be agreed upon or in case of difference to a civil engineer to be appointed at the instance of either party by the Board of Trade and such referee shall forthwith upon the application of either party proceed to inspect such wall or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may in his discretion prescribe the mode in which the same shall be executed and the Board may and shall proceed forthwith so to underpin or strengthen the said wall or building and the cost of such referee shall be paid by the Board and the cost of the reference (other than the cost of the referee) shall be in the discretion of the referee. Provided that nothing in this enactment contained nor any dealing with the property in pursuance of this enactment shall relieve the Board from the liability to compensation under the sixty-eighth section of the Lands Clauses Consolidation Act 1845 or any other Act. Provided also that every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions contained in the Lands Clauses Consolidation Acts 1845 1860 and 1869.

Making, maintenance, repair and lighting of carriage roads and footways of bridges, &c.

17. The Board may lay out such parts of the bridges and approach roads by this Act authorised to be made altered extended reconstructed or widened for carriage roads and such parts thereof for footways as they may think proper and may sewer level pave metal flag channel and complete such roads and ways and such bridges when made altered extended or reconstructed and laid out as aforesaid and the roads and footways over the same shall be public highways but shall not be or become county bridges and shall be maintained and repaired by the Board and the said approach roads shall be public highways and shall be maintained and repaired and lighted as other public highways by the road authorities of the districts in which the same shall be situate respectively. Provided always that the Board may execute all such works and do all such acts in under or upon the approach roads to such bridges respectively as they may think proper for preserving and improving such bridges and the works connected therewith and the stability thereof and may for such purpose enter upon break and open the soil and

pavement of such approach roads and any sewers drains or tunnels within or under such approach roads causing as little inconvenience as may be in the execution of the powers hereby conferred and restoring the said roads and sewers drains or tunnels to the same condition as they were in before such breaking and opening.

Provision for gas mains during alteration of Vauxhall Bridge.

18. During the alteration of Vauxhall-Bridge the Board shall make such temporary provision as may be necessary for carrying the mains of the London Gaslight Company now laid upon Vauxhall Bridge so that the supply of gas from the works of the Company may not during such alteration as aforesaid be interrupted.

Space under footways of Vauxhall and New Battersea Bridges.

19. The Board shall so effect the alteration of Vauxhall Bridge that under each of the footways of Vauxhall Bridge when altered as by this Act provided there shall be for the accommodation of any corporation company or person authorised by Act of Parliament to utilise any bridge being a public highway within the limits of such Act for the purposes of such Act a space not less in area than five hundred and fifteen square inches internal capacity and the Board shall so construct New Battersea Bridge that under each of the footways there shall be for the purposes aforesaid a space not less in area than one hundred and forty square inches internal capacity Provided always that the Board shall not exact any rent or other valuable consideration from any such corporation company or person in respect of the use of such space.

When Deptford Creek Bridge reconstructed swing bridge therein to be opened and removed by Greenwich Board of Works.

20. When the reconstruction alteration and widening of Deptford Creek Bridge authorised by this Act is completed by the Board and the said bridge so reconstructed altered and widened is thrown open to the public all the powers duties and obligations of the Deptford Creek Bridge Company under the Deptford Creek Bridge Act with respect to the opening or removing of the drawbridge or swing bridge in the Deptford Creek Bridge for the passage of ships and other vessels through the same transferred to the Board of Works for the district of Greenwich under and by virtue of the Metropolis Toll Bridges Act 1877 and of the transfer of the undertaking of the Deptford Creek Bridge Company in pursuance of the said last-mentioned Act shall be exercised and performed by and be binding upon the said Board of Works for the district of Greenwich. The Board shall pay to the said Board of Works for the district of Greenwich for the opening and removing of the said drawbridge or swing bridge in accordance with the provisions of this Act the sum of fifty pounds per annum by equal half-yearly payments on the first day of January and the first day of July in every year and shall permit the person who may from time to time be employed by the said Board of Works for the district of Greenwich to open

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and remove the said drawbridge or swing bridge to reside with his wife family and servants during such employment in the house erected by the said Deptford Creek Bridge Company for the residence of the person employed for the same purpose by the said company and known as the Bridge House and shall keep the said house in tenantable repair.

Temporary works on River to be executed under direction of Conservators.

21. The openings to be left for navigation and waterway in the temporary works at New Putney Bridge and New Battersea Bridge and in the alterations to Vauxhall and Deptford Creek Bridges by this Act authorised shall if constructed be executed according to plans and elevations signed in duplicate by Sir Frederick Nicolson, Baronet, on behalf of the conservators of the River Thames and by Sir Joseph Bazalgette on behalf of the Board of which one copy is deposited at the office of the conservators and one copy at the office of the Board and the temporary works in the River Thames shall be executed and performed to the reasonable satisfaction of the Engineer for the time being of the conservators and the traffic of the River Thames shall not be interfered with more than may be absolutely necessary and the Board shall with all reasonable despatch after the purpose for which they were erected has been accomplished and after notice from the conservators so to do remove any materials for temporary works which may have been placed in the river by the Board and (unless with the consent of the conservators) the Board shall remove all such materials for temporary works within four years from the time when the same shall have been placed in the river and on their failing to do so the conservators may remove the same charging the Board with the expense of so doing and the Board shall forthwith repay to the conservators all expenses so incurred.

Number, height, and span of arches of New Putney and New Battersea Bridges.

22. The Board shall construct the bridges next herein-after mentioned with such number of arches and as to the centre arches thereof respectively of such heights above Trinity high-water mark and of such spans as are next herein-after mentioned that is to say.

Bridge.	Number of Arches.	Height of Headway of Centre Arch at Crown.	Span of Centre Arch.
New Putney	Five	20 feet above Trinity high water	144 feet.
New Battersea	Five	20 feet above Trinity high water	173 feet.

Provided always that with the consent in writing of the conservators the Board may make such modifications as they may think

fit in the height of the centre arch or the span of the centre arch of New Putney Bridge or of New Battersea Bridge herein-before in this section specifically described.

Lights to be exhibited on bridges and works.

23. During the construction of the new bridges and the alterations reconstruction widening and improving of existing bridges and the taking down and removing of the existing Putney Bridge and Battersea Bridge and of the aqueduct or structure carrying the pipes of the Chelsea Waterworks Company over the Thames authorised by this Act and of the works connected therewith the Board shall hang out or exhibit thereat or near thereto and for ever after the completion of the said bridges the Board shall hang out or exhibit upon such bridges respectively every night from sunset to sunrise lights to be kept burning by and at the expense of the Board and proper and sufficient for the navigation and safe guidance of vessels and the lights shall be from time to time altered by the Board in such manner and be of such kind and number and be so placed as the conservators shall by writing under the hand of their secretary approve and in case the Board neglect to exhibit and keep such lights burning as aforesaid they shall forfeit and pay for every such offence the sum of ten pounds.

Level of foundations.

24. The foundations of the piers and abutments of the New Putney Bridge and the New Battersea Bridge respectively shall be constructed and maintained at such a level as to allow the bed of the river around and near such piers and abutments to be dredged to a depth of 35 feet at the least below the level of Trinity high-water mark.

Protection of Chelsea Waterworks Company &c.

25. For the protection of the Governor and Company of Chelsea Waterworks (herein-after referred to as "the Chelsea Waterworks Company" and with reference to the removal of the aqueduct of that Company over the river Thames be it enacted as follows (that is to say):—

1. The Board shall before commencing any of their works either temporary or permanent in relation to New Putney Bridge or either of the approach roads proposed to be made in connexion with New Putney Bridge which would in any way interfere with the works lands or property of the Chelsea Waterworks Company construct and provide to the satisfaction of that company or their engineer a temporary iron structure, completely rigid and supported upon iron screw piles to be properly guarded by outside piling completely across the River Thames between the Surrey and Middlesex sides thereof close to but independent of the present Putney and Fulham Bridge and on the west side of such bridge in the lines shown on a certain plan signed by Frederic Winn Knight the Chairman of the

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Committee of the House of Commons to whom the Bill for this Act was during its progress through Parliament referred and copies of which plan have been deposited in the Private Bill Office of the House of Commons and in the office of the Clerk of the Parliaments with such mains thereon as are herein-after mentioned that is to say two mains of 24 inches each internal diameter and two mains of 12 inches each internal diameter and form junctions between all such mains and the existing mains or pipes of the Chelsea Waterworks Company in High Street Putney at or near Albert Row and in High Street Fulham at or near Church Street at points E G on the said plan and provide lay and fix all such and so many stop-cocks drain pipes and cocks and other conveniences to the several mains or pipes and works which are to be constructed and formed as aforesaid as shall be required by the Chelsea Waterworks Company and until the mains and pipes across New Putney Bridge herein-after mentioned and the stop-cocks drain pipes and conveniences connected therewith are complete the Board shall permit and allow to the Chelsea Waterworks Company or any their officer or officers full and free access at all times to the said temporary structure mains or pipes junctions stop-cocks drain cocks and pipes and other conveniences respectively;

2. Before the said temporary structure is commenced the Board shall submit to the Chelsea Waterworks Company detailed plans sections working drawings and specifications of the same and the said structure shall not be commenced until such plans sections drawings and specifications have been approved in writing by the engineer of the Chelsea Waterworks Company Provided always that if such approval is not given within one calendar month after such plans sections drawings and specifications have been submitted as aforesaid either party may require that such plans sections drawings and specifications shall be referred to an engineer (herein-after referred to as the "referee") to be agreed upon between the parties or in sase of difference to be appointed at the expense of the Board by the President for the time being of the Institution of Civil Engineers and such engincer may either approve or disapprove of such plans sections drawings and specifications or may require any modification thereof or may settle and prescribe in lieu thereof other plans sections drawings and specifications of an iron structure in accordance with the provisions of paragraph 1 of this section and the said temporary structure shall be constructed in all respects in accordance with the plans sections

drawings and specifications approved as aforesaid by the engineer of the Chelsea Waterworks Company or as the case may be approved modified or settled and prescribed by the referee. The costs charges and expenses of the referee and of the Chelsea Waterworks Company in relation to the reference shall be borne and paid by the Board;

3. The said temporary structure and the several junctions to be constructed as aforesaid and all the mains or pipes to be laid and fixed as aforesaid together with the said stop-cocks drain pipes and cocks and other conveniences shall be used by the Chelsea Waterworks Company during their will and pleasure and shall be maintained and kept in proper and full working order and repair by and at the cost of the Board in accordance with the reasonable directions of the engineer of the Chelsea Waterworks Company for the time being until New Putney Bridge with the mains or pipes which are to be provided and laid down along or across the same and the approaches thereto from D to G and coloured red on the said plan shall have been completed and put into full working order and placed in the possession or under the full and exclusive control of the Chelsea Waterworks Company and upon completion of the said temporary structure and when the said several junctions have been constructed and all the said mains and pipes have been laid and fixed as aforesaid together with the said stop-cocks drain pipes and cocks and other conveniences the Board may take down and remove the said aqueduct and so much of the pipes of the Chelsea Waterworks Company over the River Thames as lies between the junctions formed by the Board with the lines of pipes of the said Company in manner aforesaid on the north and south sides of the River Thames and may for such purpose construct such temporary works in the River Thames or on the banks thereof and do all such acts as may be necessary and they may sell the materials of such aqueduct or structure and works and the pipes so taken down and removed or may retain such of them as they may think proper for the purpose of any of the improvements by this Act authorised and the moneys to be produced by the sale thereof after deducting the expenses of taking down and removing such aqueduct or structure works and pipes and of such sale shall be applied towards the expenses of the improvements by this Act authorised;

4. The Board shall provide and lay down along or under the footways of New Putney Bridge mains or pipes of the same number and diameter respectively as the mains or pipes which are to be laid down by the Board in or on the said temporary structure

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as aforesaid and in addition thereto the Board shall provide and leave under the footways of New Putney Bridge sufficient room or space for the Chelsea Waterworks Company at any time or times hereafter to lay down therein two but not more than two additional mains or pipes of an internal diameter not exceeding 24 inches each;

5. All mains pipes stop-cocks drain pipes drain cocks and other conveniences required to be laid down by the Board pursuant to this section in or on the said structure and New Putney Bridge and approaches thereto respectively shall be provided and laid down by and at the cost of the Board and shall be new and of the best description to be approved in writing by the engineer of the Chelsea Waterworks Company;

6. All the mains pipes stop-cocks drain pipes drain cocks and other conveniences which shall be laid down in New Putney Bridge and the approaches thereto pursuant to this agreement shall become and be the property of the Chelsea Waterworks Company;

7. The Board shall on demand reimburse and repay to the Chelsea Waterworks Company all moneys costs damages and expenses which the Chelsea Waterworks Company may from time to time pay sustain or be put to in or about repairing amending supporting or preserving the several mains pipes stop-cocks drain pipes drain cocks and other conveniences laid down by the Board pursuant to this section and the several roads or ways in which they may be placed at all times until the expiration of twelve months next after the water of the Chelsea Waterworks Company shall have been transmitted and passed through the mains to be laid in New Putney Bridge;

8. The Chelsea Waterworks Company shall at all times have all such rights over the footways of New Putney Bridge and over the approaches to New Putney Bridge (whether such footways and approaches shall be dedicated to public use or not) in order to do all acts which may be by such company deemed requisite for maintaining keeping in repair and renewing the several mains to be laid therein or thereunder as aforesaid and for the laying down maintaining repairing and renewing by the Chelsea Waterworks Company of any additional main or pipe mains or pipes as they would have been entitled to if the provisions in the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes had been incorporated with this Act and the Chelsea Waterworks Company had been declared by this Act to be "the under-

10 & 11 Vict. c. 17.

takers" within the meaning and provisions and for the purposes of the said Waterworks Clauses Act 1847. A.D. 1881.

9. The Board shall fully compensate the Chelsea Waterworks Company in respect of all damage and loss to be from time to time sustained by them by reason or in consequence of any interruption at any time occasioned to the water supply of the Chelsea Waterworks Company through any main pipe or conduit of that company by reason or in consequence of the construction or through the default of any of the works by this Act authorised for or by reason or in consequence of any temporary diversion by the Board of the water supply of the Chelsea Waterworks Company or by reason or in consequence of any want of repair or proper maintenance of the temporary structure mains or pipes used for such diversion. And if the Board shall fail to pay to the Chelsea Waterworks Company that compensation on demand the same may be recovered with full costs of action by the Chelsea Waterworks Company by proceeding in any court of competent jurisdiction;

10. All mains or pipes belonging to the Chelsea Waterworks Company which may become unnecessary and may have to be removed by reason of any of the operations of the Board under this Act and the materials of the said aqueduct shall belong to the Board and the Board shall not be required to pay any compensation for or on account of the same or in respect of the substitution of works herein-before specified for the said aqueduct;

11. The Board shall before taking down or removing any part of or in any way interfering with the present aqueduct of the Chelsea Waterworks Company provide to the satisfaction of the engineer of the said company and shall for ever after maintain at the points D and G on the plan aforesaid sufficient outlets communicating with the River Thames with all necessary drain pipes drain cocks tanks and other works and conveniences for the purpose of enabling the mains and pipes of the said company on each side of the said river to be from time to time and when and as the said company think fit emptied and drained into the said river such drain pipes when communicating with a main or pipe of the company of 12 inches diameter to be 5 inches in diameter and when communicating with a main or pipe of the company of greater diameter than 12 inches to be 7 inches in diameter and the said company shall at all times thereafter have free access to and the free and unrestricted right to use the said outlets for that purpose: Provided that if from any cause

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beyond the control of the Board it shall be found impossible to construct such outlets or the access to or user of the same by the said company shall be in any way interfered with or restricted or their right to use the same shall be disputed or challenged the Board shall forthwith make to the satisfaction of the engineer to the said company all such communications with and openings into the sewers of the Board on each side of the said river as will enable the mains and pipes of the said company to be from time to time and when and as the said company think fit emptied and drained into the said sewers, and shall for ever thereafter permit the said mains and pipes to be emptied and drained into the said sewers accordingly;

12. Nothing in this section shall limit prejudice or affect the right of the Chelsea Waterworks Company to compensation in respect of any matter not otherwise expressly provided for by this section or in respect of any lands or houses belonging to the said company which may be taken or acquired by the Board or may be injuriously affected by the execution of the works by this Act authorised;

13. Save as in this Act otherwise expressly provided nothing in this Act shall diminish limit prejudice or affect any of the rights or privileges of the Chelsea Waterworks Company.

Board and Chelsea Waterworks Company may make agreements &c.

26. The Board and the Chelsea Waterworks Company may from time to time enter into and make such contracts or agreements as they may think fit with respect to all or any of the matters following (that is to say):—

The removal subject to the provisions of this Act of so much of the said existing aqueduct or structure of the said Company as the Board are by this Act authorised to take down and remove; and

The maintenance and repair of the conduit or pipes to be constructed by the Board on over or along New Putney Bridge.

On completion of New Putney Bridge part of towing path &c. to vest in Board.

27. When New Putney Bridge is completed and thrown open to the public the Board may stop up and discontinue for public traffic—

So much of the towing-path in the parish of Putney as extends from a point opposite the commencement of the Windsor Street approach road herein-before described to the termination of the said towing-path opposite the end of High Street; and

So much of the road in the parish of Putney forming the approach to the existing bridge as is situate on the north or river side of the church of St. Mary Putney and between the existing bridge and the High Street approach road herein-before described; and

So much of the road in the parish of Fulham forming the approach to the existing bridge as is situate between the existing bridge and a point thirty yards or thereabouts to the northward of the old toll-house existing on the north or Middlesex side of the same bridge; and

thereupon all rights of way or passage and all other rights whether public or private over along or through such parts of the said towing-path and roads shall absolutely cease and determine and the same shall be by this Act extinguished and the site and soil pavement metalling and materials of such parts of such towing-path and roads shall become and be absolutely vested in the Board

Provided that the Board shall not stop up or interfere with the use of the towing-path at Putney Bridge in the parish of Putney until they have to the reasonable satisfaction and approval in all things of the conservators (such satisfaction and approval to be signified in writing under the hand of their secretary) provided and opened a convenient substituted access to the new road by this Act authorised.

On completion of New Putney and New Battersea Bridges Board may take down existing bridges.

28. When New Putney Bridge is completed and thrown open to the public the Board may take down and remove the said existing bridge over the River Thames known as Fulham or Putney Bridge and the works connected therewith; and when New Battersea Bridge is so far completed that it can be used and has been adapted for the passage for vehicles the Board may take down and remove the said existing bridge over the River Thames known as Battersea Bridge and the works connected therewith; and the Board may for such purposes construct such temporary works and staging in the River Thames or on or near the banks thereof and do all such acts as may be necessary and the Board may sell or dispose of the materials of the bridges so pulled down and removed or may retain such of them as they may think proper for any of the purposes of any of the improvements by this Act authorised and the moneys to be produced by any such sale after deducting the expenses of taking down and removing such bridges and works and of such sale shall be applied towards the expenses of the improvements by this Act authorised.

No main or pipe to be laid on New Putney Bridge except with consent of Board.

29. Notwithstanding anything in any Act to the contrary it shall not except as by this Act expressly provided be lawful for any corporation company or person to enter upon break up or interfere with New Putney Bridge or the roads and footways over the same respectively for the purpose of laying down any main or pipe or executing any work therein thereon or thereunder except with the consent of the Board in writing and in accordance with such terms

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and conditions not being the exaction of any rent or other valuable consideration as the Board may determine. Provided that nothing in this section contained shall alter or effect any of the provisions of the Telegraph Act 1878.

Power to dredge and deepen river &c. for alteration of Vauxhall Bridge.

30. For the purposes of the alteration and reconstruction of the existing Vauxhall Bridge and the works connected therewith the Board may dredge and deepen the bed of the River Thames beneath and near to the central span or opening to be made under the authority of this Act and may strengthen alter and enlarge such of the other piers of the said bridge as it may be necessary or convenient to strengthen alter and enlarge for the purposes aforesaid and may alter the carriage and footways over the said bridge to such extent and in such manner as may be necessary or convenient.

Board during reconstruction of Deptford Creek Bridge not required to provide ferry.

31. Notwithstanding anything to the contrary contained in the Deptford Creek Bridge Act or in the Metropolis Toll Bridges Act 1877 the Board shall not in case during the reconstruction altering and widening of Deptford Creek Bridge by this Act authorised the said bridge shall become impassable or unsafe for travellers cattle or carriages be required to provide any ferry for the passage of travellers cattle or carriages over the said creek. But the Board shall not interrupt the communication across the said creek by means of the said bridge for any longer period than necessary for such reconstruction alteration or widening.

Period for completion of works.

32. If the improvements be not completed within six years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Board for making and completing the improvements or otherwise in relation thereto shall cease to be exercised except so far as the same shall have been then completed.

Power to take lands and easements.

33. 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 books of reference and any right or easement whether existing at the time of the passing of this Act or required for the purposes thereof in or over any of such lands and in or over the River Thames or Deptford Creek and the banks bed soil and foreshore of the said river or creek which they may require for the purposes of this Act and the Board may if they think fit acquire and use any such right or easement in over or affecting any such land banks bed soil or foreshore without acquiring or being required to take such land banks bed soil or foreshore Provided that for the purposes of this section the provisions of the Lands Clauses Consolidation Acts 1845 1860 and 1869 shall extend and apply to the purchase and taking of any such rights or easements

and the term "land" in the said Acts shall for such purposes be construed to include rights and easements. A.D. 1881.

Board of Trade to appoint umpire in case of arbitration.

34. Notwithstanding anything in the twenty-eighth section of the Lands Clauses Consolidation Act 1845 contained to the contrary in carrying this Act into execution the appointment of an umpire shall in the cases referred to in the said section be left to the Board of Trade.

Owners may be required to sell parts only of certain lands and buildings.

35. And whereas in the construction of the works hereby authorised portions only of certain of the lands and buildings shown on the deposited plans may be sufficient for the purposes of the same and such portions may be severed from the remainder of the said properties without material detriment thereto. Therefore notwithstanding section ninety-two of the Lands Clauses Consolidation Act 1845 the owners of and persons interested in the property numbered on the deposited plans 56 in the parish of Fulham and whereof part only is required for the purposes of this Act may (if such portions can in the judgment of the jury arbitrators or other authority assessing or determining the compensation under that Act be severed from such properties without material detriment thereto) be required to sell and convey to the Board the portions only of the premises so required without the Board being obliged or compellable to purchase the whole or any greater portion thereof the Board paying for the portions required by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

Provisions relating to property of Mr. Hazell.

36. The following provisions shall be in force and have effect with respect to the properties numbered on the deposited plans 3 4 5 6 7 and 8 respectively in the parish of St. Mary Battersea :—

The Board may and shall by notice to treat to be served within six months after the passing of this Act require the owner or owners of the said properties to sell and convey to the Board all the estate and interest of the said owner or owners in so much of the lands forming part of the said properties as are shown on a certain plan marked C and contained within the green line shown thereon which plan is signed by the Right Honourable George John Browne Baron Monteagle the Chairman of the Committee of the House of Lords to whom the Bill for this Act was during its progress through Parliament referred a copy of which plan has been deposited in the office of the Clerk of the Parliaments the Board not being obliged or compellable to purchase the whole of the said property numbered 4 on the deposited plans or any greater portion thereof than is shown within the said green lines on the said plan marked C. And the Board shall pay the said owner or owners for his or

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their estate and interest and also all other persons interested in the said lands compensation in respect of the taking of such lands and for any damage sustained by the said owner or owners or such other persons by severance or otherwise in accordance with the provisions of the Lands Clauses Consolidation Acts 1845 1860 and 1869.

Provided always that the Board shall construct at or near Wellington Street suitable means of access from the approach road to New Battersea Bridge in the parish of St. Mary Battersea to such part or parts of the said properties as shall not be acquired by the Board under the powers of this Act;

Provided also that any compensation payable by the Board in respect of any interest in the said properties greater than a three monthly tenancy created by the owner or owners of or persons interested in the said properties after the 1st day of May 1881 shall be repaid to the Board by the owner or owners or persons who created such interest;

All differences that may arise between the Board and the said owner or owners as to the said means of access shall be settled in manner provided by the Lands Clauses Consolidation Act 1845 with respect to the purchase and taking of lands otherwise than by agreement;

Provided also that the Board shall within six months after the completion and opening for public traffic of the said approach road offer to sell so much of the lands shown on the said plan C acquired under the authority of this section as shall not be required by the Board for the purposes of such approach road to the person then entitled to the lands from which the same were severed under the authority of this section and thereupon the provisions of the Lands Clauses Consolidation Act 1845 with respect to the sale of superfluous lands shall extend and apply to the sale of the said lands to such person as aforesaid by the Board as by this section required;

Provided also that no increased value shall be held to attach to such superfluous lands by reason of any improvements made on any of the lands not included within the green line shown on the said plan C.

Limitation as to lands forming part of Fulham Churchyard.

37. Notwithstanding anything in this Act contained the Board shall not enter upon take or use any lands forming part of Fulham Churchyard situate to the west or north-west of the dotted line marked "limits" on the deposited plans.

Correction of errors in deposited plans, &c.

38. If any omission misstatement or erroneous description shall have been made of any lands or of the owners lessees sub-lessees or occupiers of any lands on the deposited plans or in the deposited books of reference the Board may after ten days notice to the owners lessees sub-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 they relate and thereupon such plan 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.

Board may enter upon property for survey and valuation.

39. The Board and their surveyors officers and workmen 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 by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said premises 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.

Notice to be given of taking houses of labouring classes.

40. The Board shall not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers make known their intention to take the same by placards handbills or other general notice placed in public view upon or within a reasonable distance from such houses and the Board shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that they have so made known their intention.

Board to procure accommodation for persons of labouring classes to be displaced.

41. Before taking in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers the Board shall (unless the Board and such persons otherwise agree) procure sufficient accommodation elsewhere for such person or persons Provided always that if any question shall arise as to the sufficiency of such accommodation the same shall be determined by a justice.

Board may sell materials.

42. The Board may sell or dispose of all building and other materials of the houses and buildings purchased or taken 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 is by this Act authorised to enter upon take or use in the execution of

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any of the improvements or other purposes of this Act shall vest in the Board and they may sell or otherwise dispose of the same and the moneys to be produced by any sale under the authority of this section after deducting the expenses of such sale shall be applied towards the expenses of the improvements by this Act authorised.

Power to lease surplus lands.

43. In case any lands which shall be purchased under the provisions of this Act and cleared shall not be laid into and form part of any of the 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 and buildings of such rate 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-nine years from and after the passing of this Act so as there be reserved in every such demise or lease such 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 nonpayment 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 thereof and may enter into any agreement for the granting of any lease of such lands or such parts thereof and for the purchase by the lessee of the lands comprised in such lease and the houses and buildings erected and built or to be erected and built thereon and the inheritance thereof in fee simple in possession free from incumbrances (except such agreement or lease) 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 granted for the purpose of granting separate leases of the same premises at apportioned rents or under different covenants or otherwise in all respects as the Board shall think fit and any part of the said land 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.

Sale of ground rents.

44. The Board shall 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 such agreement as aforesaid in pursuance or in consideration of which the houses erections or buildings shall have been erected and built or shall be agreed to be erected and built and also the reversion and inheritance in fee simple in possession (subject to such leases demises or agreements of the lands therein demised or agreed to be demised) of the houses erections and other buildings (except such as shall have been otherwise disposed of or agreed to be disposed of pursuant to this Act) either altogether or in parcels by public auction or 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 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 such conveyance the same may at all times thereafter be enforced by the Board for the benefit of the parties entitled to the other property adjoining or held under the same title in such manner in all respects as the Board shall think fit.

Board may sell land without having previously granted a lease thereof.

45. 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 which they may have purchased under the powers of this Act and which shall not be laid out and form part of any of the improvements without having previously granted or agreed to grant any lease thereof and may convey and assure the same unto the purchaser or respective purchasers thereof for any sum or sums of money and upon under and subject to such terms and conditions and with under and subject to such covenants and agreements on the part of the person or persons purchasing or agreeing to purchase the same with respect to the size or class of the houses erections and buildings to be erected thereon and the height size and elevations thereof and the time and manner of erecting the same and with respect to any other matters restrictions and things relating thereto as the Board shall think fit to impose.

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Board may let &c. lands.

46. The Board may from time to time let either from year to year 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 this Act and not required to be laid into and to form part of the improvements or any of them and may execute and do any deed act or thing proper for effectuating any such lease exchange or other disposition.

Board shall sell &c. lands.

47. Subject to the provisions of this Act the Board shall within such period as they may think fit after the completion of any of the improvements for the purposes of which any lands have been acquired sell and dispose of to any person or persons and grant and convey such parts of such lands as they may have purchased under the authority of this Act and which they do not want for the purposes of such improvements.

Receipts of Board to be effectual discharges.

48. The receipt of the Board for any purchase moneys rents or profits or other money payable to the Board by virtue of this Act shall be a sufficient and effectual discharge for the money in such receipt expressed or acknowledged to be received and the person to whom the same shall be given shall not afterwards be answerable or accountable for the misapplication or nonapplication of the money in such receipt expressed or acknowledged to be received.

Period for compulsory purchase of lands &c.

49. The powers of the Board for the compulsory purchase or taking of the lands and the rights and easements authorised to be taken by this Act shall not be exercised after the expiration of five years from the passing of this Act.

Approach roads to Hammersmith Bridge.

50. The Metropolis Toll Bridges Act 1877 shall in so far as it relates to Hammersmith Suspension Bridge and the approach roads thereto be read as if the roads following (that is to say) :—

(*a.*) The road in the parish of Hammersmith in the county of Middlesex called Bridge Road leading from the north end of the Hammersmith Bridge to Hammersmith Broadway ;

(*b.*) The road in the parish of Barnes in the county of Surrey from the south end of the said bridge to and across Barnes Common to the point where it joins the road leading from London to Richmond ;

(*c.*) The road in the said parish of Barnes aforesaid and in the parish of Putney in the said county of Surrey or one of them now known as Lonsdale Road leading from the last-mentioned road to the village of Barnes at the junction of the said Lonsdale Road with the towing-path on the bank of the River Thames ;

had been therein expressly defined to be approach roads to the

said bridge and part of the undertaking of the Hammersmith Bridge Company and the said Act shall as from the passing of the same be construed accordingly. And as from and after the transfer to and vesting in the Board of the undertaking of the said Hammersmith Bridge Company under and by virtue of the said Act the said roads shall be public highways and shall be maintainable and repairable and shall be lighted as other public highways in the district in which the same are situate respectively and as from and after such transfer and vesting the Hammersmith Bridge Company shall cease to have or exercise any estate right title powers authorities or privileges in over or affecting the said roads or any of them and shall be absolutely free and discharged from any obligation or liability whatsoever to repair maintain or light the said roads or any of them.

Agreement as to lighting of Hammersmith Bridge to be binding upon Board.

51. The said agreement between the Hammersmith Bridge Company and the Brentford Gas Company bearing date the fourth day of June eighteen hundred and sixty-three so far as it relates to lighting certain lamps on the Hammersmith Bridge and the approaches thereto but not further or otherwise in force immediately before the transfer to and vesting in the Board of the undertaking of the Hammersmith Bridge Company shall as from and after such transfer and vesting be as binding and of as full force and effect in every respect against or in favour of the Board and may be enforced as fully and effectually against or by the Board as if the Board were the said Hammersmith Bridge Company and such transfer and vesting had not taken place and the Metropolis Toll Bridges Act 1877 had not been passed and the said Hammersmith Bridge Company as from such transfer and vesting are hereby absolutely freed and discharged from any obligation or liability whatsoever under the said agreement.

Provided always that nothing herein contained shall prevent the Board and the said Brentford Gas Company by agreement varying or determining the said agreement of the fourth day of June eighteen hundred and sixty-three or making a new agreement in lieu thereof or by way of addition thereto.

Saving rights of the Crown and Commissioners of Her Majesty's Works and Public Buildings.

52. Nothing contained in this Act shall authorise the taking use or interference with any land or hereditaments or any rights of whatsoever description belonging to or vested in the Queen's most Excellent Majesty for public purposes or which are vested in or are under the control or management of the Commissioners of Her Majesty's Works and Public Buildings without the consent in writing of the same Commissioners first had and obtained which consent such Commissioners are hereby authorised to give.

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Saving rights of the Crown.

53. Nothing contained in this Act 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 crown and under the management of the Commissioners of Her Majesty's Woods Forests and Land Revenues or either of them without the previous consent in writing of the same commissioners or one of them on behalf of Her Majesty first had and obtained for that purpose (which consent such commissioners are hereby respectively authorised to give) and as incidental to any such consent as aforesaid the Board may enter into any agreement with the Commissioners of Her Majesty's Woods Forests and Land Revenues or either of them who respectively may with the approval of the Commissioners of Her Majesty's Treasury join in every such agreement and the said Commissioners of Her Majesty's Woods Forests and Land Revenues with the like approval and the Board may respectively execute all necessary conveyances leases licenses or other deeds of or relating to any land hereditaments or rights belonging to Her Majesty in right of her crown and under the management of the same commissioners and every agreement so entered into as aforesaid shall be performed by the same commissioners and the Board respectively. And nothing in this Act 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 most Excellent Majesty her heirs or successors.

Board not to interfere with bed of river.

54. Except for the purposes of the works by this Act authorised nothing in this Act contained shall authorise or empower the Board except with the consent of the conservators permanently to embank encroach upon or interfere with any part of the soil or bed of the River Thames or the shore thereof except according to the plan to be approved by the conservators as aforesaid.

Board not to take gravel &c. from river without consent of conservators.

55. The Board shall not (except as far as shall be necessary in the construction of the New Putney Bridge and New Battersea Bridge and in the alterations to Vauxhall and Deptford Creek Bridges respectively and the works connected therewith) take any gravel soil or other material from the bed of the river without the previous consent of the conservators signified in writing under the hand of their secretary.

Saving rights of conservators.

56. Except as by this Act expressly provided nothing contained in this Act shall extend or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the conservators or to prohibit defeat alter or diminish any powers authority or jurisdiction which at the time of passing

this Act the said conservators did or might lawfully claim use or exercise.

Protection of Earl Cadogan and Hans Sloane Stanley.

57. Notwithstanding anything in this Act contained it shall not be lawful for the Board to use or permit to be used any lands taken by them which are comprised in the family settlement of the Right Honourable George Henry Earl Cadogan or in the family settlement of Hans Sloane Stanley for the purpose of erecting thereon any manufactory warehouse or model lodging-house or any buildings of a similar character and every lease to be granted or conveyance made by the Board shall contain proper clauses prohibiting the respective lessees and grantees from infringing the aforesaid provisions.

Expenses of Act.

58. The costs charges and other expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or incurred by the Board with reference thereto shall be paid by the Board.

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