CHAPTER ccxx.

An Act to enable the Local Board of West Ham in the county of Essex, and the Board of Works for the District of Poplar in the county of Middlesex, to make composition with the owners, &c. of Stratford Langthorne Abbey for the maintenance and repair of bridges and roads between Bow in the county of Middlesex and Stratford in the county of Essex; and for other purposes. A.D. 1876.

[11th August 1876.]

WHEREAS by an Act passed in the fourth year of the reign of King George the Fourth, chapter one hundred and six, the several roads thereby authorised to be repaired, and distinguished and known by the name of "The Middlesex and Essex Turnpike Roads," were placed under the management and control of certain trustees styled "The Trustees of the Middlesex and Essex Turnpike Roads," who were authorised and directed to repair the said roads, which included certain portions of the same which the owners, proprietors, lessees, and occupiers of divers lands, tenements, and hereditaments formerly parcel of the possessions belonging to the monastery or abbey of Stratford Langthorne in the county of Essex, herein-after called the abbey landowners, were by reason of their respective tenures or otherwise bound to support, maintain, and keep in repair, viz., two bridges, situate and being at Stratford in the county of Essex, that is to say, a certain bridge upon the road between the town of Bow in the county of Middlesex and the town of Stratford in the said county of Essex, called Bow Bridge, and one other bridge near, adjoining to, or within the said town of Stratford, called Channelsea Bridge, and also to support, and maintain, and keep in repair certain parts of the road and foot causeway lying and being between the said two bridges and the road to the extent of one hundred yards beyond such bridges respectively, and which roads, bridges, and foot causeway are herein-after called "the roads, bridges, and causeway:" 4 Geo. 4. c. cvi.

A.D. 1876.

7 & 8 G. 4. c. cviii.

And whereas by an Act passed in the seventh and eighth years of the reign of King George the Fourth, chapter one hundred and eight, the abbey landowners were empowered to raise the sums requisite from time to time for defraying the expenses of such repairs and maintenance as aforesaid, and to make a composition in money with the trustees of the Middlesex and Essex turnpike roads for the repairing, maintaining, and keeping in repair the said roads, bridges, and causeway:

4 & 5 W. 4. c. lxxxix.

And whereas by an Act passed in the fourth and fifth years of the reign of King William the Fourth, chapter eighty-nine, after setting forth in the preamble thereof to the effect herein-before recited concerning the abbey landowners, it was enacted that they and their successors for ever should pay to the trustees of the said turnpike roads for the time being, or to their treasurer, the annual sum of three hundred pounds in full satisfaction and discharge of all and every the liabilities of the said abbey landowners in respect of the roads, bridges, and causeway:

And whereas the trusts of the Middlesex and Essex turnpike roads ceased on the thirty-first day of October one thousand eight hundred and sixty-six, and as from that date there were no longer any trustees of the aforesaid roads, and the compositions so entered into as aforesaid were then wholly determined:

19 & 20 Vict. c. xxvi.

And whereas by an Act passed in the nineteenth and twentieth years of the reign of Her present Majesty, chapter twenty-six, a provisional order of the General Board of Health applying "The Public Health Act, 1848," to the district of West Ham in the county of Essex was confirmed:

And whereas the Local Board of the district of West Ham, herein-after called "the Local Board," execute the office of and are surveyors of the highways within their district, and a portion of the said roads, bridges, and causeway is situate within the said district:

30 & 31 Vict. c. lvi.

And whereas by an Act passed in the thirtieth and thirty-first years of the reign of Her present Majesty, chapter fifty-six, the abbey landowners were empowered to contract and agree and come to a composition with the Local Board for the paying and discharging of such sum and sums of money and expenses as the Local Board may have expended or incurred in, about, and concerning the requisite repairs and maintenance of the said roads, bridges, and causeway, so far as situate within the said district of West Ham, since the thirty-first day of October one thousand eight hundred and sixty-six, and also to contract and agree and come to a composition with the Local Board for the payment to the Local Board of a certain sum of money, annually or otherwise, for

and towards the repairing, maintaining, and keeping in repair so much of the said roads, bridges, and causeway as aforesaid: A.D. 1876.

And whereas the Board of Works for the district of Poplar in the county of Middlesex, herein-after called the District Board, execute the office of and are surveyors of the highways within the said district, and a portion of the roads, bridges, and causeway is situate within the said district:

And whereas it is expedient that the management and control of so much of the roads, bridges, and causeway as is situate within the district of West Ham should be vested in the Local Board, and of so much of the roads, bridges, and causeway as is situate within the district of Poplar should be vested in the District Board, and that they should be authorised to maintain and repair the same respectively, and that in consideration of their so doing the abbey landowners should be authorised to raise and pay to the said Local Board and District Board respectively the sums herein-after named, by way of composition and in full discharge of all the liability of the said abbey landowners in respect of the roads, bridges, and causeway:

And whereas an absolute majority of the whole number of the Local Board at a meeting held on the seventh day of December one thousand eight hundred and seventy-five, after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the Courier and East London Observer, a local newspaper published or circulating in the district of the Local Board, (such notice being in addition to the ordinary notices required for summoning such meeting,) resolved that the expense in relation to promoting the Bill for this Act should be charged on the district fund and general district rate:

And whereas such resolution was published twice in the Stratford Express, a newspaper circulating in the district of the Local Board, and has received the approval of the Local Government Board:

And whereas the propriety of the promotion of the Bill for this Act was confirmed by a majority of the whole number of the Local Board at a further special meeting held in pursuance of a similar notice on the twenty-fifth day of January one thousand eight hundred and seventy-six, being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the district of the Local Board, by a resloution in the manner provided in Schedule 3 of "The Public Health Act, 1875," have consented to the promotion of the Bill for this Act:

And whereas the objects of this Act cannot be obtained without the authority of Parliament:

A.D. 1876.

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 for all purposes as "The West Ham Local Board of Health Act, 1876."

Interpretation of term.

2. "The said Boards" shall mean the Local Board of Health for the district of West Ham in the county of Essex and the Board of Works for the district of Poplar in the county of Middlesex.

Power to Boards to make composition with owners, &c. of Stratford Langthorne Abbey.

3. It shall be lawful for the abbey landowners at their first or any quarterly or special general meeting, or any adjournment thereof, under the provisions of the said Act passed in the seventh and eighth years of the reign of King George the Fourth, chapter one hundred and eight, to contract and agree and come to a composition with the West Ham Local Board for the paying of one thousand pounds, and also to contract and agree to come to a composition with the Poplar District Board for the paying of one hundred pounds, for and towards the future repairing, maintaining, and keeping in repair by the said Boards respectively of so much of the roads, bridges, and causeway as is situate within their respective districts.

Abbey landowners discharged from obligation to maintain bridges, roads, &c. Local and district boards hereafter to repair.

4. The payment of the said sums of one thousand pounds and one hundred pounds respectively as aforesaid shall be taken and accepted by the Local Board and the District Board respectively in full satisfaction and discharge of all and every the liability whatsoever of the abbey landowners with respect to the maintenance and repair of the roads, bridges, and causeway, and the abbey landowners shall thereupon be relieved and discharged from any obligation to support, maintain, and keep in repair the roads, bridges, and causeway; and the said lands, tenements, and hereditaments of the abbey landowners shall not, from and after the passing of this Act and the payment of the said several sums of one thousand pounds and one hundred pounds, be liable to repair or contribute towards the repair of the roads, bridges, and causeway, or any other works described or referred to in the herein-before recited Act of the seventh and eighth years of the reign of King George the Fourth, chapter one hundred and eight, and from and after the passing of this Act and the payment of the said several sums of one thousand pounds and one hundred pounds all such liability shall absolutely cease and determine; and the Local Board and the District Board respectively shall thereafter support, main-

tain, and keep in repair the roads, bridges, and causeway so far as the same are situate within their respective districts; and they shall also, to the extent aforesaid, indemnify and keep indemnified the abbey landowners from any liability with respect to the support, maintenance, and keeping in repair of the roads, bridges, and causeway.

Power of abbey landowners to make rates, and repeal of 7 & 8 Geo. 4. c. 108.

5. The abbey landowners shall have the same powers to make, recover, and levy rates or assessments for the payment of the said several sums of one thousand pounds and one hundred pounds, and of all reasonable costs and expenses incurred by them with reference to this Act, and the carrying the same into execution, and winding up all matters outstanding with respect to the repair of the roads, bridges, and causeway, and also for the payment of reasonable compensation to any person or persons who may be injuriously affected by the abolition of the rate known as the Abbey Land Rate, as they now have for making and recovering rates or assessments for the support, maintenance, and keeping in repair of the said roads, bridges, and causeway; and for such purposes as aforesaid the rate books kept by the collector of the said abbey land rate shall be primâ facie evidence that the lands, tenements, and hereditaments therein described are abbey lands, and are the lands, tenements, and hereditaments liable to payment of such rate; and upon payment of the sums hereby authorised to be raised, and of all outstanding liabilities under the said Act passed in the seventh and eighth years of the reign of His Majesty King George the Fourth, chapter one hundred and eight, the said Act shall be and the same is hereby repealed.

Application of composition.

6. The said sum of one thousand pounds, when paid to the Local Board, shall be applied by them in paying the costs, charges, and expenses of this Act as herein-after provided, and in diminution of any debt owing by the Local Board for moneys borrowed under the powers of "The Local Board of Health for West Ham, in Essex, Extension of Powers Act, 1867," and the said sum of one hundred pounds, when paid to the District Board, shall be applied by them in diminution of the debt of eight thousand pounds borrowed by them of the Provident Clerks Association, for the special purpose of paving the parish of Bow.

Expenses of Act.

7. All the costs, charges, and expenses attending or incident to the preparing, applying for, and passing of this Act shall be paid by the Local Board out of any money now in their hands or to be received by them under this Act.

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