CHAPTER ix.

An Act for transferring to the Wood Green Local Board portions of certain funds derived from the Sale of Waste Lands in the parish of Tottenham in the county of Middlesex and for other purposes. [31st May 1889.] A.D. 1889.

WHEREAS parts of the waste common or lammas lands in the parish of Tottenham in the county of Middlesex have from time to time been taken by the Great Eastern Railway Company or their predecessors in title and by the Great Northern Railway Company under powers in that behalf conferred upon them by Parliament and other portions of such lands have been otherwise sold and disposed of and the amount of the purchase moneys or compensation received in respect thereof have from time to time been invested and such funds are now respectively vested in or standing in the names of the several persons who are in this Act herein-after named in that behalf:

And whereas by an Order of Her Majesty the Queen in Council dated the thirtieth day of January one thousand eight hundred and fifty the provisions of the Public Health Act 1848 were applied to the district of Tottenham which consisted of the parish of Tottenham and such district was until the year one thousand eight hundred and eighty-eight the district of the Tottenham Local Board of Health herein-after called the Tottenham Board:

And whereas by the Metropolitan Commons Supplemental Act 1882 a scheme for the establishment of local management with respect to Tottenham commons certified by the Inclosure Commissioners for England and Wales was confirmed whereby it was provided that the waste or common lands in the said scheme mentioned or referred to in the parish of Tottenham should be regulated and managed by the Tottenham Board under the several powers and provisions in the said scheme contained:

And whereas by the Tottenham Local Board (Division of District) Act 1888 provision was made for the constitution of a local board to

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be called the Wood Green Local Board and by the said Act (section 8) it was provided that the part of the parish of Tottenham described in the First Schedule to the said Act should be by virtue of that Act severed from the jurisdiction of the Tottenham Board and should constitute the district of the Wood Green Local Board (herein-after called the Wood Green Board) which should thereupon have and exercise within the part of the said parish so severed all the rights powers exemptions privileges and authorities and should be subject to all the provisions and should perform all the duties which by law attach to a local board or urban sanitary authority constituted under the Public Health Acts in addition to the rights powers exemptions privileges authorities and duties conferred or imposed on them by that Act and the said Act further provided (section 19) that on the constitution of the Wood Green Local Board all and several the jurisdiction powers rights privileges duties liabilities and obligations conferred or imposed upon or exerciseable by the Tottenham Board by virtue of or under the commons scheme in the said Act referred to should so far as such jurisdiction powers rights privileges duties liabilities and obligations relate to Wood Green and such of the commons and plots or strips of waste or common lands to which the said commons scheme relates as are situate within the district of the Wood Green Board cease to belong to or be exerciseable by or to be imposed upon the Tottenham Board and should by virtue of that Act be transferred to and vested in the Wood Green Board who might and should thenceforth exercise assume and discharge the same instead of the Tottenham Board:

And whereas it would be for the benefit of the district of the Wood Green Board and of the ratepayers and inhabitants thereof and it is just and expedient that so much of the waste lands funds as is herein-after mentioned should be transferred to and vested in the Wood Green Board subject to the provisions in this Act contained for the benefit of the district of the said Wood Green Board:

And whereas it is expedient that all open spaces now existing within the district of the Wood Green Board should be so far as possible preserved and that such portion as is herein-after mentioned of the waste lands funds herein-after described being funds heretofore received in respect of waste common or lammas lands in the parish of Tottenham should be dealt with and applied as herein-after provided:

And whereas it is expedient that powers such as are in this Act contained with reference to the application by the Wood Green Board of such of the waste lands funds or such parts thereof respectively as are by this Act transferred to and vested in the Wood Green Board and the dividends and interest accruing thereon and

enabling the Wood Green Board to acquire improve and maintain open spaces within their district and empowering the Wood Green Board to borrow money for the purposes of this Act be conferred upon the Wood Green Board and that they should be enabled to extinguish common and other rights in or over such waste or common lands and also to acquire by compulsion or otherwise all the rights of commoners and of the lord of the manor thereover or therein:

And whereas it is expedient that other provisions and that other powers in relation to the district of the Wood Green Board such as are respectively in this Act contained be made and conferred upon the Wood Green Board:

And whereas at a meeting duly convened of the vestry of the parish of Tottenham holden on the fourteenth day of December one thousand eight hundred and eighty-eight resolutions approving of the principle of this Act were passed by a majority of the inhabitants present at such meeting:

And whereas an absolute majority of the whole number of the members of the Wood Green Board at a meeting held on the seventh day of December one thousand eight hundred and eighty-eight after ten clear days notice by public advertisement of such meeting and of the purpose thereof in the "North Middlesex Chronicle" a local newspaper published or circulating in the district of the Wood Green 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 general district fund and general district rate:

And whereas such resolution was published twice in the said "North Middlesex Chronicle" newspaper 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 an absolute majority of the whole number of the members of the Wood Green Board at a further special meeting held in pursuance of a similar notice on the first day of February being not less than fourteen days after the deposit of the Bill in Parliament:

And whereas the owners and ratepayers of the said district by resolution in the manner provided by Schedule III. of the Public Health Act 1875 unanimously consented to the promotion of the Bill for this Act:

And whereas the objects aforesaid cannot be effected 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

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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 Wood Green Local Board Act 1889.

Interpretation.

2. In construing this Act the following words and expressions have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such meaning (that is to say) :—

"The Wood Green Board" means the local board for the district of Wood Green :

"The Wood Green district" means the district of the Wood Green Board :

"The waste lands funds" means the several sums of money and the stocks funds and securities upon which the same are respectively invested and the dividends and interest from time to time accruing thereon as the same are respectively set forth in this Act :

"The trustees" means the several persons in whom the waste lands funds are for the time being respectively vested or in whose names the same and the stocks funds and securities in which the same have been invested are for the time being respectively standing :

"The vestry" means the vestry of the parish of Tottenham :

"The Public Health Acts" means the Public Health Act 1875 and any Act amending the same :

"The commons scheme" means the scheme certified by the Inclosure Commissioners for England and Wales with respect to Tottenham commons and confirmed by the Metropolitan Commons Supplemental Act 1882.

Transfer of rights of vestry and waste lands committee in common lands.

3. From and after the passing of this Act all right title authority or claim of right title or authority of the vestry or of the waste lands committee of the said vestry in the waste or common lands within the Wood Green district shall cease and determine and thereafter all rights powers authorities privileges and liabilities which they or either of them have exercised or laid claim to therein shall be transferred to and shall vest in or be imposed upon the Wood Green Board and all right claim or title in over or in respect of such lands other than the title of the lord of the manor or of commoners lawfully claiming as such shall vest in such Board.

Trustees of waste lands funds to pay certain portion thereof

4. At any time or times after the passing of this Act the Wood Green Board may by notice in writing under their common seal to be given by them to the trustees of the waste lands funds hereinafter mentioned by delivering such notice to the vestry clerk of the

parish of Tottenham on behalf of the said trustees inform the trustees that they require the sum specified in such notice for the purpose of paying the costs charges and expenses referred to in section 12 of this Act and for acquiring or towards the cost of acquiring for conversion into open spaces certain lands to be specified in such notice and thereupon the trustees upon whom such notice or notices as aforesaid shall be served as aforesaid shall within thirty days after the receipt of such notice by the vestry clerk out of the said waste lands funds pay to the Wood Green Board the sum therein specified Provided that such sum or sums so to be paid by the trustees shall not exceed in the aggregate including the costs charges and expenses of this Act as mentioned in section 12 of this Act the sum of three thousand pounds exclusive of any interest on such sum of three thousand pounds accrued thereon after the passing of this Act which shall also be paid by the trustees to the Wood Green Board. A.D. 1889. Payment to Wood Green Board:

The waste lands funds in this section referred to and the trustees thereof are as follows (that is to say) :—

—	Description of Fund.	Names of the Persons in whom vested as Trustees.	Amount of the Fund.		
			£	s.	d.
A	Waste land compensation money 1854.	Robert Nicholas Fowler -	550	5	8
B	Wood Green waste land compensation money 1875.	Edwin Bennett Edward Clarke William Martin and Thomas Biscoe.	1,600	0	0
C	The like - - -	The same - - -	54	3	1
D	The like - - -	Thomas Biscoe Edward Clarke and William Martin.	17	17	9
E	Compensation money received for the inclosure of waste land per order of the vestry.	The Reverend Alexander Wilson Samuel Fisher and Robert Rowley Chapman.	6,576	18	1
F	Tottenham Hale lammas land 1883 Great Eastern Railway Company compensation money	The vicar and churchwardens of the parish of Tottenham.	170	9	1
G	Wood Green Common Great Eastern Railway compensation money May 1885	The vicar and churchwardens of the parish of Tottenham and the vestry clerk of that parish.	241	14	2

5. When the said trustees have paid over to the Wood Green Board the sum of three thousand pounds or sums amounting in the aggregate to that sum and such interest as aforesaid all right claim On payment of such portion all interest of

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and interest of the Wood Green Board and of the inhabitants of the Wood Green district or of any of them in or to the residue of the said waste lands funds shall cease and determine.

Wood Green Board in residue to cease.

The Wood Green Board may purchase rights of lord of manor and others in common lands.

6. The Wood Green Board may by agreement or compulsion purchase or acquire upon such terms and conditions as may be agreed upon all or any of the rights if any of the lord of the manor of Tottenham or of any other person or persons in over or relating to any common or waste lands within the Wood Green district and upon the purchase or acquisition of such rights the same shall be extinguished and for the purposes of such purchase all the provisions of the Lands Clauses Consolidation Acts 1845 1860 and 1869 as amended by the Lands Clauses (Umpire) Act 1883 shall be deemed to be incorporated herewith.

Power to Wood Green Board to lay out waste lands funds in acquiring open spaces.

7. The Wood Green Board shall from time to time lay out and expend all or any of the waste lands funds so paid and transferred to them as aforesaid or any part or parts thereof or the dividends and interest from time to time accruing thereon in the acquisition of lands within the district for the purpose of open spaces and in the purchase and acquisition of such rights as are mentioned in the last preceding section of this Act and in defraying the costs and expenses relating thereto respectively.

Wood Green Board not to sell lands other than a certain piece of land.

8. The Wood Green Board shall not sell or dispose of any lands which are or hereafter may be vested in or acquired by them under this Act except a piece or parcel of land lying at the foot and to the west of Jolly Butchers Hill at the corner of Green Lanes and Station Road but the estate and interest of the Wood Green Board in such piece of land may be sold by them for the best price that can be gotten for the same Provided that all moneys received by the Wood Green Board under this section shall from time to time be laid out in the acquisition of open spaces and not otherwise Provided further that the said Board may from time to time prohibit the use of the whole or any portion or portions of the said lands so vested in and held by them as aforesaid for any particular purpose and may from time to time set apart and appropriate any particular portion or portions thereof respectively for any particular purposes of recreation or amusement.

Power to improve open spaces and to borrow money.

9. The Wood Green Board may from time to time plant drain fence inclose lay out form roads and footpaths and otherwise improve any open spaces which now are or may hereafter be vested in or acquired and held by them and the said Board are hereby empowered from time to time to expend out of any rates levied by them or to borrow with the sanction of the Local Government Board and on such terms and subject to such provisions as that Board may prescribe

on the security of the district fund and general district rate such sum or sums of money as the Local Government Board shall deem requisite for carrying into effect the objects and purposes of this Act or any of them and any moneys so borrowed shall be borrowed under the Public Health Act 1875 and shall be paid off within a period not exceeding fifty years from the time of first borrowing each amount and may be repaid in any of the methods allowed by the Public Health Act 1875 or the Local Loans Act 1875 as may be prescribed by the Local Government Board and the objects and purposes of this Act shall be deemed to be objects and purposes of the Public Health Act 1875.

Audit of accounts under this Act.

10. All accounts of receipts and expenditure of the Wood Green Board under this Act shall be audited in like manner and with the same consequences as the other accounts of the said Board are audited under the Public Health Act 1875.

Annual return to Local Government Board with respect to sinking fund.

11. The clerk to the Wood Green Board shall within twenty-one days after the expiration of each year during which any sum is required to be set apart for a sinking fund under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any wilful default in making such return such clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within the meaning of that Act If it appear to the Local Government Board by such return or otherwise that the Wood Green Board have failed to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of Mandamus to be obtained by the Local Government Board out of the Queen's Bench Division of the High Court of Justice.

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Expenses of Act.

12. The costs charges and expenses of and incidental to the preparing of and applying for and the obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall in the first instance be paid by the Wood Green Board out of the district fund and general district rate and ultimately out of the waste lands funds or at the discretion of the Local Board out of money borrowed under this Act and such costs shall include the costs of and incidental to complying with the provisions of the Act of the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty chapter ninety-one with respect to the Bill for this Act and all matters relating thereto.

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