



## CHAPTER cclxxi.

An Act to enable the London County Council to construct A.D. 1901.  
 new tramways and to reconstruct and alter tramways  
 in the County of London to work tramways by electric  
 traction and to make street improvements and for other  
 purposes. [17th August 1901.]

**W**HEREAS it is expedient that the London County Council  
 (herein-after referred to as "the Council") be empowered  
 to construct and maintain the new tramways and alterations  
 reconstruction and widenings of tramways in this Act described :

And whereas it is expedient that provisions should be made  
 with respect to the use and working of the tramways by this  
 Act authorised as herein-after set forth and that such further  
 powers should be conferred upon the Council as are herein-after  
 set forth :

And whereas it is expedient to confer on the Council powers to  
 make the street improvements and works herein-after described  
 and it is also expedient to confer on the Council such powers as  
 are herein-after set forth with regard to the raising of money for  
 the purposes of this Act :

And whereas it is also expedient to confer upon the Council in  
 connexion with and for the purposes of the tramways and the  
 street improvements and works by this Act authorised the powers  
 herein-after set forth :

And whereas it is expedient that provisions should be made with  
 regard to contributions by the councils of certain metropolitan  
 boroughs as in this Act specified towards the improvements by  
 this Act authorised within their respective boroughs and that  
 other provisions relative thereto should be made as herein-after  
 set forth :

And whereas the Council have caused to be deposited with the  
 clerk of the peace for the county of London plans and sections

A.D. 1901. describing the line and levels of the tramways and works by this Act authorised and the lands which may be taken for the purposes of this Act and also a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands and such plans sections and book of reference are respectively referred to in this Act as “the deposited plans sections and book of reference” :

And whereas estimates have been prepared by the Council as to the amount which they will require to expend on capital account for the purposes of this Act and such estimates (being in each case calculated to cover the original cost of purchasing lands and executing the works without any allowance in respect of returns from re-sale or letting of lands which will be ultimately available for that purpose) are as follows:—

	£
For the street improvements and works connected therewith - - - - -	410,000
For the construction of new tramways and reconstruction of existing tramways and other tramway works by this Act authorised and purchase of land for a generating station - - - - -	277,000
Total - - - - -	£687,000

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 King'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 London County Council (Tramways and Improvements) Act 1901.

Incorporation of Acts. 2. The following Acts and parts of Acts (that is to say):—  
The Lands Clauses Acts (except the provisions of sections 127 and 133 of the Lands Clauses Consolidation Act 1845);  
and

Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870;

as far as the same are applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act.

3. In this Act unless the subject or context otherwise require— A.D. 1901.

Interpreta-  
tion.

Terms to which meanings are assigned by enactments incorporated with this Act or which have therein special meanings have in this Act and for the purposes of this Act the same respective meanings;

“The Council” means the London County Council;

“The council of a metropolitan borough” where referred to in this Act means the council of the metropolitan borough interested or affected as constituted by or under the provisions of the London Government Act 1899;

“The new tramways” means the tramways by this Act authorised and any part thereof;

“The reconstructed tramways” means the tramways which may be altered reconstructed or widened under this Act;

“The tramways” means the new tramways and the reconstructed tramways;

“The improvements” means the street improvements by this Act authorised;

“Street” has the meaning assigned to that term in the Metropolis Management Acts 1855 to 1893:

Provided that for the purposes of this Act the expressions “the promoters of the undertaking” and “the company” in the Lands Clauses Acts shall be construed to mean the Council.

4. Subject to the provisions of this Act the Council may make form lay down and maintain within the county of London the new tramways herein-after described in the lines and according to the levels shown on the deposited plans and sections with all such rails plates sleepers junctions turntables turnovers crossings passing places works and conveniences connected therewith as may be necessary or proper therefor.

Power to  
make new  
tramways

The new tramways herein-before referred to and authorised by this Act are those shown on the deposited plans under the numbers herein-after stated in connexion therewith respectively and shall be of the gauge of four feet eight and a half inches but carriages or trucks adapted for use upon railways shall not be run upon such tramways.

Tramway No. 1 (double line 3 furlongs 1.70 chains in length) wholly in the parish of Saint Mary Islington commencing in Archway Road and terminating by a junction with the existing tramway in Holloway Road at a point opposite the south-eastern side of Saint John's Road:

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Provided that nothing in this Act shall authorise the construction of the said Tramway No. 1 unless or until a light railway or tramway be authorised in the county of Middlesex in continuation of the said tramway northward from the commencement thereof at the county boundary authorised by this Act :

Tramway No. 1A (double line 1·3 chains in length) wholly in the said parish commencing in Archway Road by a junction with Tramway No. 1 at a point 3 chains or thereabouts northward of the termination thereof and terminating by a junction with the tramway in Junction Road near the termination thereof :

Tramway No. 3 (double line 0·75 chain in length) wholly in the parish of Saint Mary Islington commencing by a junction with the tramway in Balls Pond Road at a point near the intersection of that tramway and the tramway in Mildmay Park and Southgate Road and terminating by a junction with the last-mentioned tramway at a point near the intersection of the said two tramways :

Tramway No. 12 (double line 2 miles 7 furlongs 7·65 chains in length) commencing in the parish of Wandsworth by a junction with the tramway in York Road near North Street and terminating in the parish of Streatham at the termination of the tramway in High Street :

Tramway No. 13 (double line 3 furlongs 0·55 chain in length) wholly in the parish of Tooting Graveney commencing in Merton Road opposite Longley Road and terminating in High Street Tooting by a junction with Tramway No. 12 near Defoe Road :

Tramway No. 15 (double line 4 furlongs 7·75 chains in length) in the parish of Saint Mary Battersea commencing by a junction with the tramway in Battersea Park Road opposite Albert Bridge Road and terminating at the southern end of Albert Bridge :

Tramway No. 15A (double line 1 chain in length) in the said parish of Saint Mary Battersea commencing by a junction with the tramway in Battersea Park Road opposite Albert Bridge Road and terminating by a junction with Tramway No. 15 near the junction of Albert Bridge Road with Battersea Park Road :

A tramway in the parish of Lambeth being so much of the tramway described on the deposited plans under the No. 16A

as is situate to the southward of Westminster Bridge Road (single line 1 furlong 1·15 chains in length):

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Tramway No. 18 (double line 1 furlong 1·55 chains in length) commencing in the parish of Lambeth by a junction with the tramway in the Westminster Bridge Road opposite Saint Thomas' Church and terminating in the parish of Saint George the Martyr Southwark by a junction with the tramway in Saint George's Road near Lambeth Road :

Tramway No. 19 (double line 5·87 chains in length) commencing in the parish of Saint George the Martyr Southwark by a junction with the tramway in Saint George's Road opposite Princess Mews and terminating in the parishes of Saint Mary Newington and Saint George the Martyr or one of them by a junction with the tramway in Newington Butts opposite Saint George's Road :

Tramway No. 19A (double line 1·30 chains in length) commencing in the parishes of Saint George the Martyr Southwark and Saint Mary Newington or one of them by a junction with the tramway at a point in Newington Butts opposite the north-western corner of the public-house known as the Elephant and Castle and terminating in the parish of Saint Mary Newington by a junction with the tramway in Newington Causeway at a point thereon in Newington Causeway opposite the said north-western corner of the said public-house :

Tramway No. 20 (double line 4·2 chains in length) commencing in the parish of Saint Mary Newington by a junction with the tramway in Newington Causeway near Southwark Bridge Road and terminating in the parish of Saint George the Martyr Southwark by a junction with the tramway in Southwark Bridge Road near Dantzic Street :

Tramway No. 21 (double line 1 furlong 2·4 chains in length) commencing in the parish of Saint George the Martyr Southwark by a junction with the tramway in Borough Road under the London Chatham and Dover Railway Bridge and terminating in the parishes of Saint George the Martyr Southwark and Saint Mary Newington or one of them by a junction with the tramway in Borough High Street near Borough Road :

Tramway No. 22 (double line 1 furlong 6·27 chains in length) commencing in the parish of Saint Saviour Southwark by a junction with the tramway in Southwark Bridge Road near Peter Street and terminating in the parish of Saint Mary

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Newington by a junction with the tramway at the northern end of Great Dover Street :

Tramway No. 23 (double line 4 furlongs 0·45 chain in length) commencing in the parish of Bermondsey at a point in Bermondsey New Road 4 chains or thereabouts south-westward from the junction of Grange Road with Bermondsey New Road and terminating in the parish of Horsleydown by a junction with the tramway in Tooley Street opposite Church Row :

Provided that the Council may if they think fit lay Tramway No. 23 along the line of the new street authorised by the London County Council (Tower Bridge Southern Approach) Act 1895 as part of and at the time of construction of that street :

Tramway No. 24 (double line 1·9 chains in length) in the parish of Saint George the Martyr Southwark commencing by a junction with the tramway in New Kent Road near the junction of Old Kent Road and Bermondsey New Road and terminating in the Bermondsey New Road by a junction with the termination of the tramway in that road :

Tramway No. 24A (double line 1·25 chains or thereabouts in length) in the parish of Saint George the Martyr Southwark commencing by a junction with the tramway in Old Kent Road near Bermondsey New Road and terminating at the point of termination of Tramway No. 24 :

Tramway No. 25 (single line 1·17 chains in length) in the parish of Camberwell commencing at the termination of the Tramway in Saint James Road and terminating by a junction with the tramway in Old Kent Road near Saint James Road :

Tramway No. 25A (single line 1·08 chains in length) in the parish of Camberwell commencing at the commencement of tramway No. 25 and terminating by a junction with the tramway in Old Kent Road near Saint James Road.

Alteration  
reconstruc-  
tion and  
widening of  
tramways.

5. The Council may alter reconstruct or widen (in which expression is included the substitution of a double line of tramway for an existing single line) in the lines and according to the levels shown on the deposited plans and sections the tramways hereinafter described and may adapt the same or any of them for working by electrical traction (that is to say) :—

Battersea Park Road line—

The tramway in Battersea Park Road in the parish of Saint Mary Battersea from a point thereon opposite Simpson Street to a point thereon near Bullen Street :

**Bermondsey New Road line—**

The tramway in Bermondsey New Road in the parish of Saint George the Martyr Southwark from a point thereon near Old Kent Road to a point thereon in the parish of Bermondsey near Webb Street :

**Wandsworth Road line—**

The tramway in Wandsworth Road in the parish of Lambeth from a point thereon near Clarke's Place to a point thereon near Bond Street :

**Albert Embankment line—**

The tramway along Albert Embankment in the parish of Lambeth between points respectively 3 chains south and 3 chains north of the junction of Spring Garden Walk with the road known as Albert Embankment :

**York Road (Battersea and Wandsworth) line—**

The tramway in York Road :—

**(a) In the parish of Wandsworth—**

From a point thereon under the bridge near Wandsworth Road Station to a point thereon opposite Bramford Road ;

**(b) In the parish of Saint Mary Battersea—**

(i) From a point thereon near Wilson Street to a point thereon near York Place ;

(ii) From a point thereon near Benfield Street to a point thereon at the junction of Verona Street and York Road ;

(iii) Between points respectively 1 chain and 3 chains east of the point lastly herein-before described ;

(iv) Between points respectively  $1\frac{1}{2}$  chains west and 4 chains east of Wye Street ;

(v) Between points respectively  $6\frac{1}{2}$  chains west and 1 chain east of High Street :

**Vauxhall and Camberwell line—**

The tramway from Vauxhall to Camberwell commencing in the parish of Lambeth at a point thereon near the South Western Railway Bridge and terminating by a junction with the tramway in Camberwell Green in the parish of Camberwell near the eastern end of Camberwell New Road :

**Short Street line—**

The tramway from Newington Butts to Walworth Road commencing in the parishes of Saint George the Martyr

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Southwark and Saint Mary Newington or one of them at a point thereon near the junction of Short Street and Newington Butts and terminating in the parish of Saint Mary Newington by a junction with the tramway in Walworth Road at a point thereon near the junction of Short Street and Walworth Road.

As to  
tramways  
in narrow  
streets.

6. The Council shall not lay down any part of the tramways so that for a distance of thirty feet or upwards a less space than nine feet six inches will intervene between the outside of the footpath on either side of the street as the same exists at the passing of this Act and the nearest rail of the tramway except in the case of the following tramways and at the places herein-after described (that is to say):—

Tramway No. 19.—Saint George's Road on the southern side thereof between the junction therewith of Temple Street and a point 3 chains or thereabouts east of that junction :

York Road (Battersea and Wandsworth) line—

In York Road on both sides thereof—

Between the commencement of the proposed tramway widening and the junction of Bramford Road with York Road ;

Between a point  $\frac{1}{2}$  a chain or thereabouts westward of the junction therewith of Wilson Street and a point opposite the western side of Linda Street ;

Between points respectively 1 chain or thereabouts east and 1 chain or thereabouts west of the junction therewith of Benfield Street ;

Between points respectively 1 chain and 3 chains or thereabouts east of the junction therewith of Verona Street ;

Between the junction therewith of Wye Street and the junction therewith of Totteridge Road ;

Between points respectively 3 chains or thereabouts and  $4\frac{1}{2}$  chains or thereabouts east of the junction therewith of Totteridge Road ;

Between points respectively 2 chains and 1 chain or thereabouts west of the junction therewith of High Street :

Vauxhall and Camberwell line—

Harleyford Road on both sides thereof throughout the entire length thereof from Upper Kennington Lane to the eastern end of Harleyford Road ;



The roadway on the south-west side of Kennington Oval—

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- (a) On the south side thereof between points respectively  $1\frac{1}{2}$  chains and  $2\frac{1}{2}$  chains south-eastward from the junction of the said roadway with Harleyford Road;
- (b) On the north side between points  $2\frac{1}{4}$  chains and  $\frac{3}{4}$  chain north-westward of a point opposite the north-west corner of the Vicarage of Saint Mark s Kennington ;

Camberwell New Road on both sides—

Between Warner Road and a point  $2\frac{1}{4}$  chains or thereabouts west of the junction of that road and Camberwell New Road.

7. No part of the tramways shall be opened for public traffic until the same have been inspected by an officer of the Board of Trade and certified under the hand of a secretary or an assistant secretary of the said Board to be fit for such traffic.

Tramways not to be opened until certified by Board of Trade.

8. The rails of the tramways shall be such as the Board of Trade approve and the Board of Trade may from time to time require the Council to adopt and apply such improvements in the tramways including the rails and substructure and formation thereof as experience may from time to time suggest having regard to the greater security of the public and advantage to the ordinary traffic and the Council shall with all reasonable despatch comply with any order made by the Board of Trade for the purpose of carrying into effect any such improvements.

As to rails of tramways.

9. If any road authority hereafter alter the level of any road along or across which any part of the tramways is laid or authorised to be laid the Council shall from time to time alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the road as altered.

Rails to be maintained on level of roadway.

10. Every road authority shall at all times have free access to and communication with their sewers and drains and power to lay lateral and private drains to communicate therewith subject to and in accordance with the provisions contained in sections 32 and 33 of the Tramways Act 1870 which shall be applicable in the case of any sewer or private drain of or under the control of the road authority as if the same were a main or pipe within the meaning of the proviso to subsection 5 of the said section 32.

Saving rights of access to sewers.

11.—(1) The Council shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the tramways and the sub-

Penalty for not maintaining rails and roads

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in good  
condition  
and inspec-  
tion of  
tramways.

structure upon which the same rest and if the Council at any time fail to comply with this provision or with the provisions of section 28 of the Tramways Act 1870 they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues.

(2) In any case in which it is represented in writing to the Board of Trade by the road authority of any district in which the tramways or any portion thereof are or is situate or by twenty inhabitant ratepayers of such district that the Council have made default in complying with the provisions in this section contained or with any of the requirements of section 28 of the Tramways Act 1870 the Board of Trade may if they think fit direct an inspection by an officer to be appointed by the said Board and if such officer report that the default mentioned in such representation has been proved to his satisfaction then and in every such case a copy of such report certified by a secretary or an assistant secretary of the Board of Trade may be adduced as evidence of such default and of the liability of the Council to the penalty or penalties in respect thereof which is or are by this section imposed.

Power to  
make  
additional  
crossings  
&c.

**12.**—(1) The Council may subject to the provisions of this Act with the consent of the road authority make maintain alter and remove in connexion with the tramways or tramways which may now or hereafter belong to the Council such crossings passing places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the effectual working of their tramways as one tramway system for the county of London or for providing access to any depôts stables or works of the Council.

(2) The Council may with the consent of the road authority and with the sanction of the Board of Trade lay down double lines in lieu of single or single lines in lieu of double lines or interlacing lines in lieu of double or single lines on any of their tramways and may with the like consent and sanction alter the position in the road of any of such tramways or any part thereof respectively.

(3) Provided that in the exercise of the powers of this section no rail shall be so laid that a less space than 9 feet 6 inches shall intervene between it and the outside of the footpath on either side of the road if one third of the owners or one third of the occupiers of the premises abutting on the place where such less space shall intervene shall by writing under their hands addressed and delivered to the Council within three weeks after receiving from the Council notice in writing of their intention express their objection thereto.

**13.** For the purpose of constructing any of the new tramways or reconstructing any tramways under this Act the Council may increase the width of the roadway of the street in which it is to be laid by reducing the width of the footway on each or either side of such street but only with the consent in each case of the authority having the maintenance and repair of the roadway :

Provided that no footway be so reduced to a less width than six feet.

**14.** Subject to the provisions of this Act and of any regulations made under this Act by the Board of Trade and of any byelaws for the time being in force with respect to the tramways any road authority may with the consent in writing of the Council for that purpose first obtained between the hours of one and five in the morning but so as not to unduly impede obstruct or interfere with the ordinary traffic on the tramways use the tramways within their district by vehicles moved by horses or otherwise for the removal of dust refuse and other similar things for the conveyance of road materials and for other purposes connected with local administration free from all tolls and charges in respect of such use Provided that no engine truck or other vehicle used for the purposes aforesaid shall exceed when loaded the weight of seven tons :

Any road authority having power to lay down any tramway rails between any yards or works belonging to such authority and the tramways shall be permitted to make a junction between any rails so laid down by them and the rails of the tramways :

Provided that in the construction of any such junction no damage shall be done to the tramways and the road authority shall have first submitted to the Council plans showing the proposed works and junction and the mode of constructing the same and if any question arises as to such plans or the mode of constructing such works that question shall be determined by arbitration :

Provided that such authority shall not save by agreement with the Council be entitled to use or employ any carriage truck horses electric current or other motive power or officers and servants of the Council :

Provided also that such authority shall indemnify the Council against any damage done to the permanent way by such use.

**15.** Where the council of a metropolitan borough or any company have powers under a special Act of Parliament or a Provisional Order confirmed by Act of Parliament for the purpose of laying electric lines to break up a tramway which is to be widened under the powers of this Act the said powers of such

A.D. 1901.  
Council may reduce width of footway in certain cases.

Use of tramways by road authorities for certain local purposes.

Certain powers of breaking up tramways for laying electric lines extended to

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widened  
tramways.

council or company shall extend and apply to the widened tramway in the same manner as to the existing tramway.

Application  
of section 32  
of Tramways  
Act 1870.

16. The council of the metropolitan borough of Battersea and also any company having power to lay electric lines in any street in which a tramway is to be laid or reconstructed under this Act shall notwithstanding anything contained in any Act or Order relating to such borough or company be deemed for the purposes of this Act to be a road authority or company respectively to whom section 32 of the Tramways Act 1870 applies.

Power to  
Council to  
work tram-  
ways.

17. The Council may place and run carriages on and may work and may demand and take tolls and charges in respect of the tramways and in respect of the use of such carriages and may provide such stables buildings carriages trucks harness engines machinery apparatus horses cables and plant appliances and conveniences as may be requisite or expedient for the convenient working or user of the tramways by animal or electrical power.

Applying  
certain pro-  
visions of  
London  
County  
Tramways  
(Electrical  
Power) Act  
1900.

18.—(1) The carriages used on the new and reconstructed tramways may be moved by animal power and in addition the carriages used on the new tramways (if and when the tramways with which they are connected are worked by electrical power) and on the reconstructed tramways (when the reconstruction and adaptation thereof is completed in accordance with this Act) may subject to the provisions of this Act and of the London County Tramways (Electrical Power) Act 1900 be moved by electrical power.

(2) The provisions of the London County Tramways (Electrical Power) Act 1900 with respect to the use of electrical power and to the working by electrical power of the tramways defined by that Act and the sections of the said Act of which the marginal notes are as follows viz. :—

Number of Section.	Marginal Note.
7	Further provisions as to paving materials of roads.
9	Application of materials excavated in construction of works.
10	Alterations in streets &c.
12	Drainage and cleaning of rails and conduit.
13	Reference of certain questions to arbitration.
23	Overhead system not to be applied without consent of road authority.

shall extend and apply to the new tramways and the reconstructed tramways as defined by this Act.

19.—(A) Notwithstanding anything in this Act contained if any of the works authorised to be executed by this Act involves or is likely to involve any alteration of any telegraphic line belonging to or used by the Postmaster-General the provisions of section 7 of the Telegraph Act 1878 shall apply (instead of the provisions of section 30 of the Tramways Act 1870) to any such alteration.

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For protection of  
Postmaster-  
General.

(B) In the event of any tramways of the Council being worked by electricity the following provisions shall have effect:—

- (1) The Council shall construct their electric lines and other works of all descriptions and shall work their undertaking in all respects with due regard to the telegraphic lines from time to time used or intended to be used by His Majesty's Postmaster-General and the currents in such telegraphic lines and shall use every reasonable means in the construction of their electric lines and other works of all descriptions and the working of their undertaking to prevent injurious affection whether by induction or otherwise to such telegraphic lines or the currents therein. Any difference which arises between the Postmaster-General and the Council as to compliance with this subsection shall be determined by arbitration:
- (2) If any telegraphic line of the Postmaster-General is injuriously affected by the construction by the Council of their electric lines and works or by the working of the undertaking of the Council the Council shall pay the expense of all such alterations in the telegraphic lines of the Postmaster-General as may be necessary to remedy such injurious affection:
- (3) Before any electric line is laid down or any act or work for working the tramways by electricity is done within ten yards of any part of a telegraphic line of the Postmaster-General (other than repairs) the Council or their agents not more than twenty-eight nor less than fourteen days before commencing the work shall give written notice to the Postmaster-General specifying the course of the line and the nature of the work including the gauge of any wire and the Council and their agents shall conform with such reasonable requirements (either general or special) as may from time to time be made by the Postmaster-General for the purpose of preventing any telegraphic line of the Postmaster-General from being injuriously affected by the said act or work. Any difference which arises between the Postmaster-General and the Council as to any requirement so made shall be determined by arbitration:

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- (4) If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Council is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Council's works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Council enter any of the Council's works for the purpose of inspecting the Council's plant and the working of the same and the Council shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Council pursuant to the Board of Trade regulations :
- (5) If a telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Council be injuriously affected and he is unable to ascertain whether such injurious affection is caused by the Council or by any other persons generating or using electric currents for traction purposes the Postmaster-General may give notice to the Council requiring them to make at such times as he may specify such experiments (by working their generating stations running their cars or otherwise working any part of their undertaking or in case of continuous working by stopping the current generated for the purposes of their undertaking at such times as would not unduly interfere with the traffic) as he may deem necessary to enable him to discover which of the undertakings causes the disturbance and such experiments shall be carried out by the Council as and when required by the Postmaster-General :
- (6) In the event of any contravention of or wilful non-compliance with this section by the Council or their agents the Council shall be liable to a fine not exceeding ten pounds for every day during which such contravention or non-compliance continues or if the telegraphic communication is wilfully interrupted not exceeding fifty pounds for every day on which such interruption continues :
- (7) Provided that nothing in this section shall subject the Council or their agents to a fine under this section if they satisfy the court having cognisance of the case that the immediate doing of any act or the execution of any work in respect of which the

penalty is claimed was required to avoid an accident or otherwise was a work of emergency and that they forthwith served on the postmaster or sub-postmaster of the postal telegraph office nearest to the place where the act or work was done a notice of the execution thereof stating the reason for doing or executing the same without previous notice :

(8) For the purposes of this section a telegraphic line of the Postmaster-General shall be deemed to be injuriously affected by an act or work if telegraphic communication by means of such line is whether through induction or otherwise in any manner affected by such act or work or by any use made of such work :

(9) For the purposes of this section and subject as therein provided sections 2 10 11 and 12 of the Telegraph Act 1878 shall be deemed to be incorporated with this Act :

(10) The expression "electric line" has the same meaning in this section as in the Electric Lighting Act 1882 :

(11) Any question or difference arising under this section which is directed to be determined by arbitration shall be determined by an arbitrator appointed by the Board of Trade on the application of either party whose decision shall be final and sections 30 to 32 both inclusive of the Regulation of Railways Act 1868 shall apply in like manner as if the Council or their agents were a company within the meaning of that Act :

(12) Nothing in this section contained shall be held to deprive the Postmaster-General of any existing right to proceed against the Council by indictment action or otherwise in relation to any of the matters aforesaid :

(13) In this section the expression "the Council" includes their lessees and any person owning working or running carriages on any of the tramways of the Council.

**20.** The Council on the one hand and the local authority of any district adjoining the county of London on the other hand may enter into and carry into effect any agreement with respect to the working of any tramway or any part of any tramway in such adjoining district connected with the tramways of the Council.

Agreements with local authorities outside London as to working of tramways.

**21.** Notwithstanding anything shown on the deposited plans the Council shall not (except with the consent of the parties respectively interested therein) enter upon take or use a greater portion

For protection of President and scholars of Saint Mary Magdalen College Oxford of Truman Hanbury Buxton and

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Company of  
F. J. Liddington  
and of John  
Luck.

of the property numbered 248 on the said plans in the parish of Wandsworth than shall be necessary to enable the Council to widen Garratt Lane to a width of fifty-four feet or of the property numbered 103 on the said plans in the said parish than shall be necessary to enable the Council to widen South Street to a like width.

Provision  
against  
interference  
with tram-  
ways.

22. If any person wilfully does or causes to be done with respect to any apparatus used for or in connexion with the working of any of the new or reconstructed tramways anything which is calculated to obstruct or interfere with the working of the said tramways or to cause injury to any person he shall (without prejudice to any proceedings by way of indictment or otherwise to which he may be subject) be guilty of an offence punishable on summary conviction and every person convicted of such offence or of any offence under section 50 of the Tramways Act 1870 with respect to the said tramways shall be liable to a penalty not exceeding twenty pounds.

Tolls &c.

23. The new tramways shall for the purpose of fixing and defining the tolls and charges to be levied and made in respect thereof be deemed so far as they are situate on the north side of the River Thames to form part of the tramways leased by the Council to the North Metropolitan Tramways Company and so far as they are situate on the south side of the River Thames to form part of the tramway undertaking of the Council.

Provision as  
to general  
Tramway  
Acts.

24. Nothing in this Act contained shall exempt the Council or their lessees or licencees or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Act or from any future revision or alteration under the authority of Parliament of the maximum rates of fares or charges authorised by this Act.

Power to  
Council  
to make  
street  
widening.

25. Subject to the provisions of this Act in the lines or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections the Council may execute the improvements in the county of London herein-after described viz.—

(A) A widening in the parish of Wandsworth of Red Lion Street on the eastern side thereof commencing at the termination of the new street now in course of construction by the council of the metropolitan borough of Wandsworth and terminating at High Street :



(B) A widening of South Street in the parish of Wandsworth:— A.D. 1901.

On the eastern side—

- (i) From a point 6 chains or thereabouts south of High Street to the northern side of the bridge carrying the aqueduct over that street;
- (ii) From the southern side of the said bridge to the northern corner of the public-house known as the Waggon and Horses;
- (iii) From the southern side of the passage or entrance on the southern side of the said public-house to Allfarthing Lane;

On the western side—

- (i) Between Buckholt Road and a point  $4\frac{1}{2}$  chains or thereabouts southward of that road;
- (ii) For a distance of 20 feet or thereabouts northward of the said aqueduct bridge;
- (iii) From a point on the southern side of the said bridge to a point  $3\frac{1}{2}$  chains or thereabouts southward of Mapleton Road;

(c) A widening of Garratt Lane in the parish of Wandsworth:—

On both sides thereof—

Between Allfarthing Lane and Swaffield Road;

On the eastern side thereof—

- (i) Between Swaffield Road and Atheldene Road;
- (ii) From a point 3 chains or thereabouts south-westward of Vanderbilt Road to a point  $5\frac{1}{2}$  chains or thereabouts north-westward of Algrave Road;
- (iii) From Earlsfield Road to the entrance to the Earlsfield station of the London and South Western Railway Company on the north-western side of the said railway;
- (iv) From the south-western corner of the board school 5 chains or thereabouts northward of Siward Road to a point  $1\frac{1}{2}$  chains north-eastward of the refuge opposite the eastern end of Summerstown;
- (v) From a point opposite the junction of Summerstown with Garratt Lane to a point  $4\frac{1}{2}$  chains south-eastward of the said refuge;

On the western side thereof—

- (i) From a point 4 chains or thereabouts south of Bendon Valley to the northern fence of the London and South Western Railway;
- (ii) From Steerforth Street to Siward Road aforesaid;

A.D. 1901.

- (iii) From Headworth Road to a point  $1\frac{1}{2}$  chains or thereabouts southward of Maskell Road ;
- (iv) Between a point  $1\frac{1}{2}$  chains or thereabouts southward of the refuge herein-before referred to and Wimbledon Road :
- (D) A widening of the said Garratt Lane in the parish of Streatham :—
- On the eastern side thereof—
- (i) Between a point opposite the centre of Wimbledon Road and a point 5 chains or thereabouts south-eastward therefrom ;
- (ii) From a point 2 chains or thereabouts south-east of Smallwood Road to Selkirk Road in the parish of Tooting Graveney ;
- On the western side—
- From a point  $3\frac{1}{2}$  chains southward of Wimbledon Road to a point in the parish of Tooting Graveney 4 chains or thereabouts south-east of Smallwood Road :
- (E) A widening of the said Garratt Lane in the parish of Tooting Graveney :—
- On the south-western or western side of the said lane from a point  $1\frac{1}{2}$  chains or thereabouts eastward of Fountain Road to a point opposite the western end of Defoe Road :
- (F) A widening in the parish of Tooting Graveney of Defoe Road on the southern side thereof between the western end thereof and a point 5 chains or thereabouts westward of Merton Road :
- (G) A widening in the parish of Tooting Graveney on the northern side of Defoe Road and the western side of High Street commencing at a point in Defoe Road 9 chains or thereabouts westward from the junction of Defoe Road and High Street and terminating in High Street at a point 1 chain northward of Selkirk Road :
- (H) A widening in the parish of Tooting Graveney of Merton Road on the eastern side thereof between Longley Road and a point  $2\frac{1}{2}$  chains south of Tooting Grove :
- (I) A widening in the parish of Lambeth of Harleyford Street on the north-eastern side commencing at Kennington Oval and terminating at Kennington Park Road :
- (J) A widening of Camberwell New Road on the southern side commencing at the junction therewith of Warner Road in the parish of Camberwell (formerly in the parish of Lambeth) and terminating at Denmark Hill in the parish of Camberwell.

**26.** For the protection of the Reverend Douglas Tudor Craig or other the vicar of Saint Andrew's Church Earlsfield in the county of London the following provisions shall have effect:—

A.D. 1901.

—  
For protec-  
tion of vicar  
of Saint  
Andrew's  
Church  
Earlsfield.

The Council shall not under the provisions of this Act at any time hereafter without the consent of the said vicar or his successors take use occupy or enter upon any part or parts of the lands numbered 251 and 252 in the deposited plans and book of reference except the strip of land on the east side of Garratt Lane hatched red on the plan signed by the Right Honourable Lord Hatherton the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred and of the dimensions indicated on the said plan.

On the completion of the widening of that part of the roadway which is co-extensive with the rest of the said premises numbered 251 and 252 the said strip of land hatched red shall be converted into a proper footway paved with suitable stone flags or asphalt and the said roadway so far as it is co-extensive with the rest of the said premises numbered 251 and 252 and as is coloured yellow on the plan signed as aforesaid (except between the rails of the tramway) shall be properly paved with wood blocks and so much thereof as is coloured blue on the said plan shall be properly paved with wood or asphalt and so much of the footway on the western side of the said roadway as is coloured blue on the said plan shall be properly paved with stone or asphalt at the cost of the Council and the said roadway and footways shall be maintained and kept properly paved as aforesaid. And the Council shall save harmless and keep indemnified the vicar and his successors and the rest of the said premises numbered 251 and 252 against any costs charges and expenses of forming metalling sewerage paving or flagging the said roadway or the footways thereof or any part thereof respectively.

**27.** In the construction maintenance and alteration of the tramways by this Act authorised to be constructed widened or altered the following provisions shall unless otherwise agreed between the London and South Western Railway Company (in this section called "the company") and the Council apply and have effect:—

For protec-  
tion of  
London and  
South  
Western  
Railway  
Company.

(A) The Council or their contractors or agents or any one in their employ respectively shall not in any way alter or interfere with the structure of any railway arch bridge or other work belonging to or maintained by the company nor erect any post

A.D. 1901.

or affix any bracket or wire upon any such bridge or other work without the consent in writing of the company under the hand of their secretary :

- (B) In the event of the company requiring for the purposes of repair renewal or widening of any such bridge as aforesaid to erect scaffolding against or around the abutments or piers or under the superstructure of such bridge they shall be at liberty to do so after having given fourteen days' notice thereof in writing to the Council and if necessary the Council shall at their own expense during the period required for the execution and completion of such repair renewal or widening divert the line of tramway or wires or make such other arrangements as may be reasonably required by the company for the purposes of such repair renewal or widening :
- (c) The Council shall bear and on demand pay to the company all reasonable costs of the superintendence by them of the construction erection or laying of any work post wire or bracket or the repair thereof respectively affecting any railway bridge or other property of the company and all reasonable costs of watching lighting and protection of their railway and other property with reference to and during such construction and repair :
- (d) Any additional expense incurred by the company in the maintenance of the bridges occasioned by the execution by the Council of any works under the powers of this Act shall be borne and paid by the Council and the Council shall indemnify the company against and compensate them for any damage or injury which may be occasioned to the said bridges or any of them by reason of the exercise of any of the powers of this Act :
- (E) Any difference which may arise between the Council and the company under this section shall (unless otherwise agreed) be settled by arbitration in manner provided by the Tramways Act 1870.

Power to  
stop up ways  
temporarily.

28. Subject to the provisions of this Act the Council for the purposes and during the making of the improvements may in or upon the lands shown in connexion therewith upon the deposited plans stop up or cause to be stopped up temporarily all or any part of any carriageway or footway which they shall think necessary for such purposes to be stopped up and may put or cause to be put up sufficient palisades hoardings bars posts and other erections and

may construct temporary works for keeping any such carriageway and footway open for traffic and may make from time to time such orders for regulating the traffic as to them shall seem proper and they may remove and alter any drinking troughs lamp-posts and other erections upon the said lands.

A.D. 1901.

**29.** Subject to the provisions of this Act the Council may for the purposes of and in connexion with the improvements alter the line or level of any of the streets and places described on the deposited plans or sections as intended to be diverted raised or lowered in the manner shown on such plans or sections.

Streets may  
be raised or  
lowered.

**30.** In making any of the works for or connected with the improvements the Council may subject to the provisions of this Act deviate to any extent from the line thereof within the limits of deviation defined on the deposited plans and the Council may subject to the provisions of this Act deviate to any extent from the levels thereof defined on the deposited sections not exceeding three feet from the levels thereof as defined on the said sections.

Deviation  
from line and  
levels.

**31.** Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Council in connexion with and for the purposes of the improvements and as part of the works to be executed under the powers of this Act may execute or do any of the following works or things viz. :—

Power to  
make subsi-  
diary works  
stop up  
streets &c.

They may—

Make junctions and communications with any existing streets intersected or interfered with by or contiguous to the improvements or any of them and may divert widen or alter the line or alter the level of any existing street for the purpose of connecting the same with the improvements ;

Stop up any street passage or place within the limits of deviation shown on the deposited plans which they may consider unnecessary to retain or to throw into the improvements and may alter and divert any street passage or place within the same limits ;

Appropriate the site and soil of any street passage or place so stopped up or diverted ;

Execute any works for the protection of any adjoining land or buildings ;

Execute any works and do any things necessary for the strengthening and supporting of any walls of adjoining buildings ; and

A.D. 1901.

Raise lower alter and interfere with any drain or sewer providing a proper substitute before interrupting the flow of sewage in any such drain or sewer.

The site and soil of any street passage or place or any part of any street passage or place stopped up or diverted and appropriated by the Council under this Act shall vest in the Council and all rights of way or other rights over the same shall thereupon be extinguished and the lamp-posts paving metalling or materials in on or under any street so altered diverted or stopped up and any materials of any drain or sewer so altered shall vest in the Council and all substituted drains and sewers shall be under the same jurisdiction care management and direction as the existing drains and sewers for which they may be so substituted.

Carriage-way foot-way sewers and other works.

**32.** Subject to the provisions of this Act the Council may cause such parts of the improvements to be laid out for carriageway (including where authorised by this Act the laying of a tramway) and such parts thereof for footway as they may think proper and may upon the lands acquired by or vested in them under the powers of this Act and within the limits of deviation defined on the deposited plans construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of the improvements.

Directing how pavement shall be laid and made.

**33.** The Council shall for the purposes of and in connexion with the improvements in a substantial and workmanlike manner fill or cause to be filled in all and every the vaults cellars and open places over which it may be necessary to new pave (except such as are capable of being used as cellars vaults or areas) with good sound hard brick or other rubbish to be well rammed down to prevent the ground from giving way and shall well and effectually pave over all the said ground with a sufficient quantity of materials of proper quality and dimensions and shall in like manner erect and build any underground arches which they may think necessary and also relay and repair the streets which they may disturb or alter in carrying the purposes of this Act into execution Provided always that nothing herein contained shall extend or be construed to extend to charge the Council with the liability or expense of repairing or making good such pavement or arches in future but when the same shall have been in the first instance so paved relaid erected built and repaired as aforesaid the same shall for ever thereafter be kept in repair by the authority in whom the

management and repair of the street are vested or by any other parties or persons liable to repair the same. A.D. 1901.

**34.** The Council may cause to be removed arched over or filled up all such sewers or drains or parts thereof which shall be in or near the streets to be interfered with for the purposes of the improvements as shall appear necessary for executing the purposes of this Act but so that no public sewer or drain (unless the same become unnecessary by reason of the purchase of the property entitled to the use thereof) shall be in anywise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient Provided always that before removing or filling up any sewer or drain or part thereof as aforesaid the Council shall (where necessary) cause to be made and built other good and sufficient sewers and drains in substitution for the sewers or drains which shall be filled up and when made and completed the said sewers and drains shall be under the same jurisdiction care management and direction as the existing sewers or drains.

Sewers or drains to be arched over or filled up.

**35.** The Council within the limits of deviation defined on the deposited plans may for the purposes of and in connexion with the improvements raise sink or otherwise alter or cause to be altered the position of any of the steps areas cellars cellar-flaps gratings fencings windows and watercourses pipes or spouts belonging to any house or building and may remove all other obstructions so as the same be done with as little delay and inconvenience to the inhabitants as the circumstances of the case will admit and the Council shall make reasonable compensation to any person who suffers damage by any such alteration.

Power to alter steps areas pipes &c.

**36.** The provisions of the London County Council (Subways) Act 1893 shall apply to any subway to be constructed under the powers of this Act as if such subway or part thereof had been included in the expression "subway" in the said Act of 1893 and the provisions of section 3 of the said Act shall apply during the actual construction of any such subway Provided that for the purposes of the application of the said Act of 1893 to any subway to be constructed under the powers of this Act the London Hydraulic Power Company shall be deemed to be a water company.

Applying provisions of London County Council (Subways) Act 1893.

**37.** When and as each of the improvements or any part thereof is completed a certificate thereof shall be issued under the seal of the Council and any copy of such certificate certified under the hand of the clerk of the Council shall in all proceedings and for all purposes be admissible and received as evidence that such

Improvements to form public streets. Repair &c.

A.D. 1901. certificate has been duly made and from the date of such certificate  
— so much of the improvement to which it relates as shall have been laid out for carriageway or footway shall form part of the street and may be used by the public accordingly Subject to the provisions of this Act so much of the land acquired by the Council for the widening of any street as is thrown into and used for the carriageway or footway of any street widened under this Act shall on the completion of such widening become vested in the council of the metropolitan borough in whom the management and control of the existing street is vested and subject to the provisions of this Act the maintenance repair paving cleansing and lighting of each of the improvements shall be under the care management control and jurisdiction of the council of the metropolitan borough in which the improvement is situate :

Provided also that the provisions of this section with reference to the repair of carriageway shall not apply to that part of any carriageway which under the provisions of the Tramways Act 1870 the Council is bound to keep in repair.

Power to sell materials.

**38.** The Council may sell or dispose of all building and other materials of any houses and buildings acquired by them under the powers of this Act and all lamp-posts paving metalling and materials in under or upon any road street or other place altered by them for the purposes of this Act and any materials obtained in the alteration of or interference with any drain or sewer which are vested in the Council under the powers of this Act.

Power to take lands.

**39.**—(1) Subject to the provisions of this Act the Council may enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited book of reference as intended to be taken for the purposes of this Act which they may require for the purposes of the improvements and for providing space for the erection of houses and buildings adjoining or near to the improvements and for other purposes of this Act.

(2) The powers of the Council for the purchase of lands by agreement shall be deemed to extend to and to authorise the purchase by the Council by agreement of any other lands which they may think it desirable to purchase in order to provide substituted sites or facilities for any persons whose lands may be required by them for the purposes of or in connexion with the improvements.

Generating station.

**40.** Subject to the provisions of this Act the Council may enter upon and take the lands described in the First Schedule to



this Act and may use the same as part of the site on which they have power under the London County Tramways Act 1900 to construct and maintain a station for generating electricity and may on such lands erect maintain and use engines dynamos plant and machinery for generating and distributing electricity for the purpose of working tramways at any time belonging to or worked by them.

A.D. 1901.  
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41. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of the Lands Clauses Acts and of this Act grant to the Council any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and for the purposes of this Act the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such easements rights and privileges as aforesaid and to any grant of the same respectively.

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

42. If any omission misstatement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands on the deposited plans or in the deposited book of reference the Council may after ten days' notice to the owners lessees and occupiers of the lands affected by the proposed correction apply to a metropolitan police magistrate for the correction thereof and if it shall appear to such magistrate that such omission misstatement or erroneous description arose from mistake he shall certify the same accordingly and he 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 of London and shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon such plans or book of reference shall be deemed to be corrected according to such certificate and the Council may take the lands in accordance with such certificate.

Correction of errors &c. in deposited plans and book of reference.

43. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council 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 upon and into the lands and buildings by this Act authorised to

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

A.D. 1901. be taken and used as aforesaid for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Costs of arbitration &c. in certain cases.

44. The court or person to whom any question of disputed purchase money or compensation under this Act is referred shall if so required by the Council award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Council by the claimant giving sufficient particulars and in sufficient time to enable the Council to make a proper offer and if they or he shall be of opinion that no such statement giving sufficient particulars shall have been delivered one half of the costs of the arbitration or as the case may be one half of the costs of the proceedings before the sheriff (including the costs of summoning empannelling and returning the jury and of taking the inquiry and in recording the verdict and judgment therein) shall be defrayed by the person with whom the Council shall have such question and the remaining half shall be defrayed by the Council anything in the Lands Clauses Consolidation Act 1845 to the contrary notwithstanding Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days' notice to the Council to amend the statement in writing of the claim delivered by him to the Council in case of discovery of any error or mistake therein or for any other reasonable cause such error mistake or cause to be established to the satisfaction of the judge after hearing the Council if they object to the amendment and such amendment shall be subject to such terms enabling the Council to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case Provided also that this section shall be applicable only in cases where the notice to treat under the Lands Clauses Consolidation Act 1845 either contained or was endorsed with a notice of the effect of this section.

Compensation in case of recently altered buildings.

45. In settling any question of disputed purchase money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the twenty-fourth day

of July one thousand nine hundred if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act. A.D. 1901.

**46.** Whereas in the construction of the improvements it may happen that portions only of houses buildings or manufactories shown on the deposited plans may be sufficient for the purposes of this Act and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding anything contained in section 92 of the Lands Clauses Consolidation Act 1845— As to taking of parts of certain properties.

(1) The Council may take the part of the several houses buildings or manufactories shown on the deposited plans and described in the deposited book of reference under the numbers stated in Part I. of the Second Schedule to this Act which is described in the said Part of the said schedule or such part thereof as they may require without being required or compellable to purchase the whole or any greater part of any such house building or manufactory :

(2) The owners of and other persons interested in the properties numbered on the deposited plans as specified in Part II. of the Second Schedule to this Act may (if such portions respectively can in the judgment of the arbitrator arbitrators umpire or jury assessing or determining the compensation under that Act be severed from the remainder of the properties without material detriment thereto) be required to sell and convey to the Council the portions only of the premises so required without the Council being obliged or compellable to purchase the whole or any greater portion thereof the Council 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 :

If for twenty-one days after the service of notice to sell and convey any portions of the said properties any owner or other person shall fail to notify to the Council his contention that such portions cannot be severed from the remainder of the property without causing material detriment thereto then the Council may proceed to take such portions only :

But if within such twenty-one days he shall by notice to the Council allege that such portions cannot be severed from

A.D. 1901.

the remainder without causing such material detriment as aforesaid then the arbitrator arbitrators umpire or jury shall determine the matter of the said allegation in addition to the other questions required to be determined by them :

Provided that if in the opinion of the arbitrator arbitrators umpire or jury any such portion cannot be severed from the remainder of such property without material detriment thereto the Council may withdraw their notice to treat for the portion of the property required by them and thereupon they shall pay to the owners of and other persons interested in the property in respect of which they have given notice to treat all costs charges and expenses reasonably and properly incurred by them in consequence of such notice and may if they think fit proceed de novo to take the whole or any other portion of the property :

Provided also that if in the opinion of the arbitrator arbitrators umpire or jury any such portions can notwithstanding the allegation of such owner or other person be severed from the remainder without such material detriment then they may in their absolute discretion determine and order that the costs charges and expenses incurred by such owner or person incident to the arbitration or inquiry shall be borne and paid by such owner or person.

The provisions of this section shall be stated in every notice given thereunder by the Council to sell and convey any premises.

Compensation in case of insanitary property.

47. The Council may with the approval of the Secretary of State for the Home Department claim in any notice to treat for the purchase of any lands intended to be taken for the purpose of this Act—

That the lands to which the notice refers are or comprise any houses courts or alleys unfit for human habitation ;

That the narrowness closeness and bad arrangement or the bad condition of the streets and houses or groups of houses upon any such lands or the want of light air ventilation or proper conveniences or any other sanitary defects or one or more of such causes renders any such lands or any buildings thereon prejudicial to the health of the inhabitants either of the buildings on the said lands or of the neighbouring buildings :

And in the event of any such claim then on the occasion of assessing the amount of compensation payable in respect of such lands the court or person settling the same shall determine whether

such lands fall wholly or in part within any of the descriptions herein-before mentioned and if they shall so decide then in assessing the compensation payable under this Act in respect of any such lands evidence shall be receivable by such court or person to prove—

A.D. 1901.

(1st) That the rental of any house or premises was enhanced by reason of the same being used for illegal purposes or being so overcrowded as to be dangerous or injurious to the health of the inmates;

(2ndly) That any house or premises are in a state of defective sanitation or are not in reasonably good repair; or

(3rdly) That any buildings on any such lands are unfit and not reasonably capable of being made fit for human habitation:

And if such court or person be satisfied by such evidence then the purchase money and compensation in respect thereof shall be assessed and determined according to the principles indicated in section 21 of the Housing of the Working Classes Act 1890.

The Council shall pay to the Secretary of State a reasonable sum to be fixed by him in respect of any expenses which he may incur in making such inquiries as he may deem necessary in relation to any claim submitted for his approval under this section.

48. The Council may for the purposes of this Act upon the lands acquired by them under the powers of this Act and also in any street within the limits of deviation defined on the deposited plans or in which any tramways are authorised to be made or reconstructed under the powers of this Act raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building and also any main pipe or apparatus laid down or used by any company or person for carrying a supply of water or water for hydraulic power or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic or other purposes and any pipe tube wire or apparatus laid down or placed for supplying electricity and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit to any company or person and making reasonable compensation to any company or person for any damage caused by any such alteration Provided always that before the Council alter the position of any main pipe or apparatus laid down or used by any such company or person they shall (except in cases of emergency) give to the company or person to whom the same

Alteration  
of position of  
water gas  
and other  
pipes.

A.D. 1901. belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done under the superintendence (at the expense of the Council) of the company or person to whom such pipe or apparatus belongs unless such company or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Council shall execute such work to the reasonable satisfaction of the engineer of such company or person. Provided also that the Council shall not cause any street to be lowered or raised, nor the position of any water or gas main or other pipe to be altered so as to leave over such main pipe or apparatus in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Council shall in such case protect the same pipes from frost or injury by artificial covering to the satisfaction of the engineer of such company or person or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Council in such case provide special means of access to the same to the satisfaction of the engineer of such company or person :

If any difference arise between the Council or their engineer and any such company or person or their or his engineer touching the amount of any costs expenses or charges under the provisions of this Act to be paid by the Council to any such company or person or touching any work matter or thing with reference to such mains or other pipes under such provisions to be done or executed by the Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the engineer of the Council and of any such company or person respectively or failing agreement by such engineer as shall on the application of the engineer either of the Council or of any such company or person be named by the president for the time being of the Institution of Civil Engineers :

Provided also that the Council shall not raise sink or otherwise alter the position of any pipe tube wire or apparatus laid down for telegraphic or other purposes and belonging to the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878 :

Provided always that nothing in this section shall extend to prejudice or affect any of the provisions for the protection of any undertakers authorised to supply electrical energy contained in any special Act or any Provisional Order confirmed by Act of Parliament. A.D. 1901.

**49.** If within seven days after a notice under the preceding section of this Act shall have been served upon any gas or water company that company so elect such company shall themselves execute all such alterations to their mains and pipes as may from time to time be necessary and the reasonable costs of executing such alterations shall be repaid by the Council to such company. Provided always that such alterations shall be carried out in accordance with the directions and to the reasonable satisfaction of the chief engineer of the Council. For protection of gas and water companies.

**50.** Where the Council widen or alter any street in which an electric line is laid under the powers of any Act or Order the owners of such line may make such alteration in the position of such line as may be reasonably necessary subject to such provisions (so far as applicable) as apply in the case of altering such line under their existing powers and any costs reasonably incurred by the owners of such line in such alteration shall be defrayed by the Council. Alteration of electric lines.

**51.** The following provisions shall have effect with reference to the school yard and buildings in the ecclesiastical district of Saint Matthew Denmark Hill Camberwell numbered on the deposited plans 1 2 and 3 in the parish of Camberwell unless otherwise agreed in writing between the Council and the minister and churchwardens of the said district or other the owners for the time being of the said premises (herein-after referred to as "the minister and churchwardens") (that is to say):— Provisions as to St. Matthew's School.

- (1) Notwithstanding anything in this Act it shall not be lawful for the Council to enter upon take or use any portion of the properties numbered on the deposited plans 1 2 and 3 in the parish of Camberwell until the Council shall have conveyed to the minister and churchwardens or as they shall direct free of charge a site approved by them within the ecclesiastical district of Saint Matthew's of area equal at least to the site of the properties numbered 1 2 and 3 as aforesaid and shall at their own expense have erected fitted up and furnished thereon a building or buildings of capacity at least equal to that of the existing buildings and capable of accommodating not less than four hundred and six children allowing ten feet superficial for each

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child with all the usual fixtures fittings furniture appliances apparatus and accessories including accommodation for resident mistresses equivalent to that provided by the existing premises :

- (2) The said buildings shall be erected and fittings and furnishing done according to the plans and specifications of an architect to be appointed by the minister and churchwardens and shall be completed under the supervision and to the reasonable satisfaction of the said architect and of the Board of Education :
- (3) The site and building so provided and erected shall be held by the minister and churchwardens in the same manner and upon the same trusts in all respects as the schools at present standing on the properties numbered 1 2 and 3 as aforesaid are at the date of the passing of this Act held by them :
- (4) Upon the execution of such conveyance as aforesaid and the completion by the Council of the said buildings and the payment by the Council of all reasonable fees charges and expenses of the minister and churchwardens connected with the arrangements provided for under this section the aforesaid properties numbered 1 2 and 3 on the deposited plans and the buildings thereon shall vest in the Council absolutely in fee simple without further conveyance to or payment by the Council :
- (5) The minister and churchwardens may agree with the Council for any variation of the provisions of this section.

Power to  
lease surplus  
lands.

52. The Council may when and as they shall think fit so to do demise and lease any lands acquired by them under this Act and not required for the purposes thereof or such parts thereof as the Council shall think it expedient to let on building leases either altogether or in parcels to any person or persons who shall erect and build or covenant and agree to erect and build thereon or on any part thereof houses erections or buildings of such size or class of building and upon such plan and elevation and of such height and with such storeys as the Council shall think proper for such term or number of years as they may think fit so as there be reserved in every such demise or lease such peppercorn or other yearly rent to be incident to the immediate reversion of the premises therein comprised as to the Council 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 Council shall reasonably be advised or require and also a clause in the nature of a condition of



re-entry on non-payment of the rent thereby to be reserved or on non-observance or 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 Council shall order and direct and the Council may if they think fit accept and take any fine or premium for the granting of any lease and may enter into any agreement for the granting of any lease of such lands or such parts thereof and may in any such lease or agreement for a lease give to the lessee or intended lessee an option or right to purchase the fee simple in reversion in the premises leased or agreed to be leased together with all houses erections or buildings thereon at the time of the exercise of such option at such time and on such terms and conditions as they may think fit and on granting leases in pursuance of such agreements may alter the amount of the rents agreed to be reserved in such leases and may apportion the same and grant separate leases of any part of the hereditaments by any such agreement agreed to be leased as the Council think fit and may also alter or rescind any agreement as aforesaid and may accept any surrender of any lease in all respects as the Council shall think fit and any part of the said lands may be appropriated for and left as yards or courts to be attached to any houses agreed to be leased as the Council shall think fit.

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**53.** Subject to the provisions of this Act the Council may sell and dispose of or cause to be sold and disposed of the ground rents to be reserved by the leases or demises or agreed to be reserved by any agreements for leases of any lands made under the authority of this Act and also the fee simple in reversion in such lands and in the houses erections or buildings thereon either altogether or in parcels by public auction or by private contract for such price or prices or sum or sums of money as the Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council shall think fit and as regards any stipulations or provisions which may be contained in any conveyance under this enactment the same may at all times thereafter be enforced by the Council by re-entry on such lands on breach of any such stipulation or provision

As to sale  
of ground  
rents.

A.D. 1901. or otherwise in such manner in all respects as the Council shall think fit.

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

**54.** Subject to the provisions of this Act the Council may if they think it expedient so to do sell and dispose of in the manner herein-before directed all or any lands acquired under the powers of this Act and not required for the purposes thereof without having previously granted or agreed to grant any lease thereof for such price or prices or sum or sums of money as the Council shall think reasonable and subject to such stipulations and provisions for the enjoyment thereof and as to the nature of the buildings which are to be at all times erected and built thereon and also subject to such stipulations as to the title to be produced to the hereditaments to be sold as the Council shall think fit.

Council may let or exchange lands.

**55.** The Council may let either from year to year or for a less period or for a term at rackrent or exchange or otherwise dispose of any building or lands or any part thereof acquired by them under the powers of this Act and not required for the purposes thereof and may execute and do any deed act or thing requisite or proper for effectuating any such lease exchange or other disposition.

Council to dispose of lands within a certain period.

**56.** Any lands acquired by the Council under the powers of this Act except such as are required to form part of any improvement or to be permanently retained for the purposes of this Act and except lands on which buildings shall have been erected by the Council in pursuance of the section of this Act of which the marginal note is "Scheme as to accommodation for persons of the labouring class displaced" shall subject to the provisions of any future Act of Parliament be sold or disposed of by the Council within a period of sixty years from the first day of September next after the passing of this Act and section 127 of the Lands Clauses Consolidation Act 1845 shall not apply to any lands acquired by the Council under the powers of this Act.

Receipts of Council to be effectual discharges.

**57.** The receipt of the Council or of any person duly authorised by the Council for any purchase money rent or money payable to the Council 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 receipt shall be given shall not afterwards be answerable or accountable for the misapplication or non-application of the money in such receipt expressed or acknowledged to be received.

**58.** The Council may subject to the provisions of this Act enter into and carry into effect agreements with any person being the owner of or interested in any lands houses or property abutting on any portion of the improvements with respect to the sale by the Council to such person of any lands or property (including any street or thoroughfare or any part of a street or thoroughfare appropriated by the Council under the powers of this Act and not required for the improvements) for such consideration as may be agreed upon between the Council and such person and the Council may accept as satisfaction of the whole or any part of such consideration the grant by such person of any lands or other property required by the Council for the purposes of this Act.

A.D. 1901.  
Power to Council to make agreements with owners of property &c.

**59.** The powers of the Council for the compulsory purchase or taking of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Limitation of time for purchase of lands.

**60.** If the tramways and improvements be not completed within the period of seven years from the passing of this Act then on the expiration of that period the powers of the Council under this Act for the execution of the same shall cease except so far as the same shall then have been completed.

Period for completion of works.

**61.—(1)** The Council shall not under the powers of this Act purchase or acquire in any metropolitan borough or in the city of London twenty or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partly by persons belonging to the labouring class as tenants or lodgers unless and until they shall have obtained the approval of the Secretary of State for the Home Department to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary of State shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case.

Scheme as to accommodation for persons of the labouring class displaced.

(2) The approval of the Secretary of State to any scheme under this section may be given either absolutely or conditionally and after the Secretary of State has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

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(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced. Provided that the Secretary of State may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Secretary of State may have approved of any scheme or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Secretary of State out of the High Court.

(5) If the Council acquire or appropriate any house or houses for the purposes of this Act in contravention of the foregoing provisions or in contravention of the requirements of the scheme displace or cause to be displaced the persons residing in any house or houses they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary of State by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it think fit reduce such penalty.

(6) For the purpose of carrying out any scheme under this section the Council may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require.

(7) The Council may on any lands belonging to them or purchased or acquired under this section provide such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and such dwellings may be in buildings exclusively devoted to dwellings or in buildings partly designed for use for shops warehouses offices or other purposes and the Council may sell demise or let or otherwise dispose of such buildings and any lands purchased or acquired as aforesaid :

Provided that all lands on which any buildings have been erected or provided by the Council in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated either wholly or partly as the case may be in accordance with the scheme for the purpose of such dwellings and

every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment : A.D. 1901.

Provided also that the Secretary of State may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he may see fit.

(8) All buildings erected or provided for the purpose of any scheme under this section shall be subject to the provisions of the London Building Act 1894 and any Act or Acts relating to buildings in the county of London.

(9) The Secretary of State may direct any inquiries to be held by any persons appointed by him as inspectors which he may deem necessary in relation to any scheme under this section or to the carrying out of any such scheme and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of any such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health Act 1875.

(10) The Council shall pay to the Secretary of State a sum to be fixed by him in respect of any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector and a sum to be fixed by the Secretary of State for the services of such inspector.

(11) Any houses purchased or acquired by the Council for or in connexion with any of the purposes of this Act whether purchased or acquired in exercise of the powers conferred by this Act or otherwise and whether before or after the passing of this Act which may have been occupied by persons of the labouring class within five years before the passing of this Act and for which houses no substitutes have been or are directed to be provided by any scheme approved by the Secretary of State under any previous Act relating to the Council shall for the purposes of this section be deemed to have been acquired under the powers of this Act and to have been occupied on the fifteenth day of December last by the same number of persons belonging to the labouring class as were occupying the said houses at the date of their acquisition. Provided that if the Secretary of State is unable to ascertain the number of such persons who were then occupying the said houses the said houses shall be deemed to have been occupied by such number of such persons as in the opinion of the Secretary of State they might have been sufficient to accommodate.

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(12) For the purposes of this section—

The expression "house," means any house or part of a house occupied as a separate dwelling;

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

Removal of  
human  
remains  
from burial  
grounds.

**62.**—(1) If and when the Council shall acquire any burial ground or cemetery or part of a burial ground or cemetery they shall before applying or using any part of any such burial ground or cemetery for any of the purposes of this Act remove or cause to be removed the remains of all deceased persons interred in such part Provided that a Secretary of State on the application of the Council and on being satisfied that such removal is not necessary or desirable may dispense with all or any of the requirements of this section on such conditions (if any) as he thinks fit.

(2) Before proceeding to remove any such remains the Council shall publish a notice for three successive days in two newspapers circulating in the county of London to the effect that it is intended to remove such remains and such notice shall have embodied in it the substance of subsections (3) (4) (5) (6) and (7) of this section.

(3) Any time within two months after the first publication of such notice any person who is an heir executor administrator or relative of any deceased person whose remains are interred in the part of such burial ground or cemetery so acquired may give notice in writing to the Council of his intention to undertake the removal of such remains and thereupon he shall be at liberty to cause such remains to be removed to and re-interred in any burial ground or cemetery in which burials may legally take place Provided that no faculty which would otherwise have been necessary shall be required for such purposes but that if the burial ground or cemetery from which the remains are removed is consecrated the re-interment shall only take place in a consecrated burial ground or cemetery and the removal and re-interment shall be subject as herein-after mentioned to any regulations made by the bishop of the diocese.

(4) If any person giving such notice as aforesaid shall fail to satisfy the Council that he is such heir executor administrator or relative as he claims to be the question shall be determined on the

application of either party in a summary manner by (in the case of removal from a consecrated burial ground or cemetery) the registrar of the consistory court of the diocese and otherwise the registrar of the county court for the district within which the burial ground or cemetery from which the removal takes place is situate and in either case such registrar shall have power to make an order specifying who shall remove the remains. A.D. 1901.

(5) The expense of such removal and re-interment (not exceeding in respect of remains removed from any one grave the sum of ten pounds) shall be defrayed by the Council such sum to be apportioned if necessary equally according to the number of remains in the grave.

(6) If within the aforesaid period of two months no such notice as aforesaid shall have been given to the Council in respect of the remains in any grave or if after such notice has been given the persons giving the same shall fail to comply with the provisions of this section and (in the case of removal from a consecrated burial ground or cemetery) with any regulation of the said bishop the Council may without any faculty which would otherwise have been necessary for that purpose remove the remains of the deceased person and cause them to be re-interred in such other burial ground or cemetery in which burials may legally take place as the Council think suitable for the purpose. Provided that if the burial ground or cemetery from which the remains are removed is consecrated the re-interment shall only take place in a consecrated burial ground or cemetery and the removal and re-interment shall be subject to the consent of the said bishop.

(7) All monuments and tombstones relating to the remains of any deceased person removed under this section shall at the expense of the Council be removed and re-erected at the place of re-interment of such remains or at such place within the said county as (in the case of removal from a consecrated burial ground or cemetery) the said bishop and otherwise the registrar of the county court for the district within which the burial ground or cemetery from which the removal takes place is situate may direct on the application (if any) of such heir executor administrator or relative as aforesaid or failing such application on the application of the Council.

(8) The removal of the remains of any deceased person under this section shall be carried out under the supervision and to the satisfaction of the medical officer of health of the said county.

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Saving  
rights of  
duchy of  
Cornwall.

**63.** Nothing contained in this Act shall extend to authorise the Council to take use enter upon or interfere with any land soil or water or any rights in respect thereof belonging to His Majesty in right of the duchy of Cornwall without the consent in writing of some two or more of such of the regular officers of the said duchy or of such other persons as may be duly authorised under the provisions of the Duchy of Cornwall Management Act 1863 section 39 to exercise all or any of the rights powers privileges and authorities by the said Act made exerciseable or otherwise for the time being exerciseable in relation to the said duchy or belonging to the Duke of Cornwall for the time being without the consent of such Duke testified in writing under the seal of the duchy of Cornwall first had and obtained for that purpose or to take away diminish alter prejudice or affect any property rights profits privileges powers or authorities vested in or enjoyed by His Majesty in right of the duchy of Cornwall or in or by the Duke of Cornwall for the time being.

Contribu-  
tions by  
councils of  
metropolitan  
boroughs.

**64.** The councils of the metropolitan boroughs herein-after mentioned respectively shall and they are hereby required from time to time to contribute towards the costs and expenses of the Council in relation to the improvements herein-after respectively stated such sums on account of such costs and expenses as the Council may from time to time require to the extent of but not exceeding in each case the fixed sum or the proportion of such costs and expenses herein-after stated with reference thereto and the councils of the said metropolitan boroughs respectively may for the purpose of paying any such contribution or any part thereof borrow the requisite moneys and for the purpose of securing the repayment with interest of any moneys to be borrowed as aforesaid the councils of the said metropolitan boroughs respectively may mortgage and assign all the moneys or rates authorised to be raised by them under the Metropolis Management Act 1855 and all the provisions of sections 183 to 191 of the last-mentioned Act as amended by any subsequent Act shall apply to any borrowing by such councils respectively under this section of this Act.

The contributions required by this section are—

Towards the cost of the widenings of Red Lion Street South Street Garratt Lane Defoe Road and High Street (Tooting)—

By the council of the metropolitan borough of Wandsworth such sum not exceeding ninety - one thousand three hundred and sixteen pounds as will amount to one third of the net cost thereof :



Towards the cost of the widening of Merton Road—

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By the council of the metropolitan borough of Wandsworth  
one third of the net cost thereof :

Towards the cost of the widening of Camberwell New Road—

By the council of the metropolitan borough of Camberwell  
the sum of five thousand pounds.

**65.** Separate accounts shall (if and so far as may be necessary) be kept in relation to the costs and expenses of each of the improvements referred to in the preceding section of this Act and for the purpose of ascertaining the sums to be paid to the Council under the provisions of the said preceding section by the councils of the metropolitan boroughs therein mentioned the Council shall notwithstanding the provisions of the Metropolitan Board of Works (Loans) Act 1869 or any other Act carry to the said accounts respectively all sums of money (if any) which may from time to time be paid to the Council under the provisions of this Act on account of the said improvements respectively whether such sums arise from the sale of materials or the sale or letting of lands or any other sums which recoup the Council part of the expenses incurred by them in carrying this Act into execution with respect to the said improvements and shall furnish to the said councils copies of the accounts relative to the improvement to which they are respectively required under the provisions of the said section to contribute.

Accounts of  
receipts and  
payments.

**66.** Where under the powers of this Act an improvement has been or is to be carried out at the joint cost of the Council and of the council of a metropolitan borough it shall be lawful for the Council and such borough council to enter into and carry into effect any agreement for determining the amount of the respective contributions of the Council and such borough council and for settling and closing the account between them in relation to the improvement although the improvement may not be at the time completed and although the total cost of the improvement may not have been at the time ascertained and either party may accept from the other of them and the other of them may make a conveyance or assignment of any estate or interest in any surplus lands in connexion with such settlement in such manner as may be agreed between them.

Agreements  
for closing  
accounts in  
cases of joint  
works.

**67.**—(1) The Council may expend on capital account for the purposes of this Act such money as they may from time to time think fit not exceeding six hundred and eighty-seven thousand

Money  
raised on  
capital  
account.

A.D. 1901. pounds and in order to raise or provide the money required for that purpose the Council may from time to time create and issue consolidated stock or resort to the consolidated loans fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time being in force regulating the raising of money for capital purposes by the Council:

Provided that nothing in this Act shall authorise the borrowing and expenditure of any money on capital account after the thirtieth day of September one thousand nine hundred and two.

(2) The Council in accordance with the provisions in relation to redemption and repayment of the Acts relating to the raising and expenditure of money by the Council on capital account shall make provision for the redemption of stock or the repayment of money borrowed or expended on capital account for the purposes of this Act within such term not exceeding in any case sixty years as the Council with the consent of the Treasury may determine.

Separate account of receipts and payments relating to tramways.

**68.** Notwithstanding anything in this or any other Act all receipts and payments by the Council relating to the tramways shall be carried or charged to the separate account kept by the Council in relation to their tramways and section 47 of the London County Tramways Act 1900 shall be deemed to extend and apply to the tramways as defined by this Act.

Apportionment of expenses of certain improvements.

**69.** In any case where the Council carry out any improvement of a street in which a tramway is intended to be laid the Council may if they think fit apportion the costs and expenses in such manner as they may think proper between the improvements account and any separate account which they may keep in relation to tramways.

As to payments under this Act.

**70.** All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general or special county purposes within the meaning of the Local Government Act 1888 as the Council may decide and the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Council in like manner.

The SCHEDULES referred to in the foregoing Act.

**THE FIRST SCHEDULE.**

LANDS FOR GENERATING STATION.

Lands in the parish of Camberwell comprising the premises of the Saint Matthew's Girls' School abutting on Camberwell New Road and lying between the existing Tramway depôt of the Council in that road and the Catholic Apostolic Church.

**THE SECOND SCHEDULE.**

(PRO PERTIES OF WHICH PORTIONS ONLY MAY BE TAKEN BY THE COUNCIL.)

PART I.

DESCRIPTION OF PROPERTIES OF WHICH PARTS ONLY MAY BE TAKEN  
BY THE COUNCIL.

Name of Improvement.	Parish.	No. on Plan and in Book of Reference.	Description in Book of Reference.	Describing Part to be taken.
Widening of South Street.	Wandsworth	62	Part of forecourt timber-yard and sheds.	Part of forecourt and timber-yard.
		72	Forecourt garden and roadway.	Forecourt garden and roadway.
		77 to 80 inclusive.	Forecourts - -	Forecourts.
		82 to 85 inclusive.	Forecourts - -	Forecourts.
		89	Forecourt - -	Yard (part of).
		95	Land - - -	Land.
		118 119 120	Forecourts - -	Forecourts.
		121	Private roadway -	Roadway.
		122 to 133 inclusive.	Forecourts - -	Forecourts.
		143 144 146 to 150 inclusive.	Forecourts - -	Private pavement.
Widening of Garratt Lane.	Wandsworth	154	Land - - -	Lands adjoining paper mills.
		155	Forecourt - -	Private pavement.
		157	Part of garden and roadway.	Land.
		158	Land - - -	Forecourts.

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THE SECOND SCHEDULE—*continued.*

Name of Improvement.	Parish.	No. on Plan and in Book of Reference.	Description in Book of Reference.	Describing Part to be taken.
Widening of Garratt Lane— <i>continued.</i>	Wandsworth— <i>continued.</i>	159 160 161	Forecourts - -	Private pave- ment.
		162 164 to 171 inclusive. 172	Forecourt - -	Forecourt.
		173	Forecourt - -	Private pave- ment.
		175	Land and forecourt -	Private pave- ment.
		176 177 178 179	Forecourts - -	Private pave- ment.
		181 to 188 inclusive.	Forecourts - -	Private pave- ment.
		189 to 205 inclusive.	Forecourts - -	Private pave- ment.
		210	Forecourt yard and drying ground.	Forecourt yard and drying ground.
		215	Garden - -	Garden (part).
		217	Forecourt - -	Private pave- ment.
		219 to 224 inclusive.	Forecourts - -	Private pave- ment.
		226 to 231 inclusive.	Forecourts - -	Private pave- ment.
		234 to 243 inclusive.	Forecourts - -	Private pave- ment.
		245	Forecourt - -	Private pave- ment.
		250	Yard and outbuilding	Yard.
		252	Land and forecourt -	Land and fore- court.
		259 to 264 inclusive.	Forecourts - -	Private pave- ment.
		265	Forecourt - -	Forecourt.
		266	Forecourt and part of drying-ground.	Forecourt.
		267 269 270 271	Forecourts - -	Forecourts.
		278	Part of forecourt -	Approach.
		279 to 284 inclusive.	Forecourts - -	Forecourts.
		286	Forecourt and garden	Part of forecourt and garden.
		287 288	Forecourts - -	Forecourts.
		289	Forecourt and road- way	Private pave- ment.
		290 291 292 293	Forecourts - -	Forecourts.
		294	Forecourt - -	Private pave- ment.
297A 299 300 301	Forecourts - -	Forecourts.		
302	Forecourt and road- way.	Forecourt.		
303 304 305 306 307 308 310	Forecourts - -	Forecourts.		
311	Land - - -	Forecourt.		
312	Forecourt and garden	Forecourt.		

## THE SECOND SCHEDULE—continued.

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Name of Improvement.	Parish.	No. on Plan and in Book of Reference.	Description in Book of Reference.	Describing Part to be taken.	
Widening of Garratt Lane—continued.	Wandsworth— continued.	313 315	Forecourts - -	Forecourts.	
		318 319 320 321 322	Forecourts - -	Private pavement.	
	Streatham - -	3	Part of lawn and footpaths.	Part of lawn and footpaths.	
		6	Forecourt - -	Forecourt.	
		11	Forecourt rails and gate.	Forecourt.	
		12	Part of forecourt and area.	Part of private pavement.	
		Tooting Graveney	3	Part of forecourt and area.	Part of private pavement.
			4	Forecourt - -	Private pavement.
		5 to 19 inclusive.	Forecourts - -	Forecourts.	
		20	Land - - -	Forecourts of houses being erected.	
Widening of Defoe Road.	Tooting Graveney	21 to 54 inclusive.	Forecourts - -	Forecourts.	
		56 to 74 inclusive.	Forecourts - -	Forecourts.	
Widening of High Street Tooting.	Tooting Graveney	78	Roadway - - -	Entrance roadway.	
Widening of Harleyford Street.	Lambeth - -	5	House gardens stables and out-buildings.	Part of garden stables and outbuilding.	
Camberwell New Road.	Camberwell -	10	Part of roadway and timber staging.	Part of roadway and timber staging.	

## PART II.

DESCRIPTION OF PROPERTIES OF WHICH PORTIONS ONLY MAY BE TAKEN  
BY THE COUNCIL SUBJECT TO ARBITRATION.

Name of Improvement.	Parish.	No. on Plan and in Book of Reference.
Widening of South Street - -	Wandsworth - - -	45 56.
Widening of High Street Tooting.	Tooting Graveney - - -	83 84.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY FIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from  
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or  
OLIVER AND BOYD, EDINBURGH; or  
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.