



CHAP. xix.

An Act for making provision for the execution of the London Coal and Wine Duties Continuance Act, 1868, as far as it relates to the freeing from Toll of the following Bridges on the Thames; namely, Kew, Kingston-upon-Thames, Hampton Court, Walton-upon-Thames, and Staines; and Chingford Bridge and Tottenham Mills Bridges on the Lee; and for other purposes. [24th June 1869.]

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WHEREAS by The London Coal and Wine Duties Continuance Act, 1868, (in this Act referred to as the Act of 1868,) all duties by The London Coal and Wine Duties Continuance Act, 1861, continued, and all Acts relating thereto, were further continued until the fifth day of July one thousand eight hundred and eighty-nine:

31 & 32 Vict.
c. 17. (*Pub.*)

And whereas by the Act of 1868 it was enacted (section five) that the several coal and wine duties by that Act continued for the year ending the fifth day of July one thousand eight hundred and eighty-nine, should be applied in the first instance in freeing from toll the following bridges on the Thames (namely), Kew, Kingston-upon-Thames, Hampton Court, Walton-upon-Thames, and Staines;

And next in making free from toll Chingford Bridge and Tottenham Mills bridges upon the river Lee;

And, should there be any surplus remaining, the same should be applied as Parliament might thereafter direct:

And whereas it is expedient that the freeing of the said bridges from toll be accelerated, and that accordingly the revenue to arise from the London coal and wine duties in the year ending the fifth day of July one thousand eight hundred and eighty-nine be anticipated:

And whereas under divers Acts relating to the continuance and appropriation of the London coal and wine duties powers for application of revenue derived therefrom in years anterior to that ending on the fifth day of July one thousand eight hundred and eighty-nine

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And whereas the better to effectuate the provisions of section five of the Act of 1868, it is expedient that powers be conferred on a body representing the corporation and board jointly:

And whereas the objects aforesaid cannot be attained without the authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; (that is to say,)

Short title. 1. This Act may be cited as "The Kew and other Bridges Act, 1869."

Constitution of committee. 2. There shall be a joint committee of the corporation and board constituted as follows; (that is to say,)

(1.) Within one month after the passing of this Act the corporation shall appoint six members of the common council of the city of London to be their representatives on the joint committee, and the board shall appoint six members of the board to be their representatives on the joint committee:

(2.) The twelve persons so appointed, and their successors, shall form and be the joint committee:

(3.) The corporation and the board respectively may at any time remove any member of the joint committee representing them respectively:

(4.) Any member of the joint committee shall cease to be a member thereof on his ceasing to be a member of the common council of the city or of the board (as the case may be):

(5.) A vacancy among the members of the joint committee caused by death, resignation, removal, disqualification, or otherwise shall be filled up by the corporation or the board, according as the vacating member was appointed by the corporation or the board:

(6.) All appointments and removals of members of the joint committee shall be made by writing under the common seal of the corporation or of the board as the case may require:

Which committee is in this Act referred to as the joint committee.

3. The members of the joint committee and their successors shall be and are hereby incorporated for the purposes of this Act by the name of the Bridges Joint Committee of the Corporation of London and Metropolitan Board of Works, and by that name shall be a body corporate with continuous succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

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Incorporation of committee.

4. The quorum of the joint committee shall be five.

Quorum of committee.

5. The joint committee shall from time to time make such regulations as they think fit respecting the times and places of their meetings and the appointment of a chairman and other matters relating to the execution of their duties.

Regulations for committee.

6. The joint committee may appoint and remunerate such officers, clerks, and servants as they from time to time think requisite.

Clerks and servants.

7. The joint committee shall keep proper books in which shall be entered minutes of their proceedings and accounts of their receipts, expenditure, credits, and liabilities.

Minutes of proceedings and accounts.

8. The London coal and wine duties for the year ending the fifth day of July one thousand eight hundred and eighty-nine shall be paid to the joint committee, and shall be applied by them in defraying the expenses and discharging the liabilities incurred by them in the execution of this Act, and should there be any surplus remaining the same shall be applied as Parliament may hereafter direct.

Application of coal and wine duties for 1889.

9. At any time and from time to time after the passing of this Act the joint committee and the several companies, bodies, and persons entitled to and interested in the said several bridges may make and carry into effect all such agreements and arrangements with respect to the following purposes, or any of them, and all matters incidental or accessory thereto, as they think fit (that is to say), the making by those companies, bodies, and persons respectively, and the acceptance by the joint committee of a transfer of all or any part of the undertakings of those several companies, bodies, and persons, and of their lands and other property and effects held or possessed for the purposes of their undertakings or any part thereof, and their rights, powers, privileges, and authorities with respect to the same or any of them, or the extinction of the rights, powers, privileges, and authorities of those several companies, bodies, and persons with respect to tolls and charges of a like nature arising from or in connexion with the said several bridges or any of them, any such transfer or extinction to be made on such terms and for such considerations as in the several cases

Power to agree with bridge authorities, &c.

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the contracting parties think fit, and the contracting parties in the several cases may from time to time execute all deeds and instruments necessary or proper for effectuating any such transfer or extinction.

Limitation
of transfer
to joint
committee.

10. Nothing in this Act shall authorize a transfer to the joint committee of any portion of the bridge estates of Kingston-upon-Thames, nor of any portion of the undertakings of the Lee Conservancy Board, the New River Company, and the East London Waterworks Company other than Chingford Bridge and Tottenham Mills bridges, as defined by this Act.

Settlement
of terms and
conditions
otherwise
than by
agreement.

11. If at any time the joint committee determine to free from toll any of the said bridges, and the joint committee and any company, body, or persons entitled to or interested in any of the said several bridges do not agree on the terms and considerations on and for which any transfer or extinction authorized by this Act is to be made, then and in every such case those terms and considerations shall be settled in manner provided by The Lands Clauses Consolidation Act, 1845, and The Lands Clauses Consolidation Acts Amendment Act, 1860, and sections 41 to 45 (both inclusive) of the Regulation of Railways Act, 1868, with respect to the purchase and taking of lands otherwise than by agreement, and for that purpose those Acts and sections are hereby incorporated with this Act, and the undertakings, lands, property, effects, rights, powers, privileges, and authorities comprised in this Act shall severally be deemed lands within the meaning of those Acts, and those sections shall have effect as if the joint committee were a company within the meaning thereof.

Certain of
the bridges
freed from
toll to be
county
bridges.

12. On the completion of any transfer or extinction authorized by this Act toll shall cease to be levied on the bridge to which the transfer or extinction relates, and the bridge shall (subject to the provisions of this Act respecting Kingston-upon-Thames Bridge) become and be a county bridge, and be maintainable and repairable accordingly, and shall for ever be open free to the public without toll or other charge.

Provision as
to Kingston-
upon-
Thames
Bridge.

13. The Acts relating to Kingston-upon-Thames Bridge shall continue to operate as if this Act had not been passed save as far as the same will be affected by the extinction under this Act of tolls levied on that bridge, and of the rights, powers, privileges, and authorities of the trustees of that bridge (in this Act called the trustees) with respect to those tolls and to any other charges of a like nature arising from or in connexion with that bridge; and save that in case the net income to arise from the bridge estates and other property applicable by the trustees to the maintaining, repairing, supporting, paving, watching, and lighting of that bridge

(which shall be deemed to include the surplus (if any) of money paid to them by the joint committee for extinction of tolls) is at any time insufficient for those purposes, then and as often as any such deficiency occurs, and as long as the same continues, that bridge shall (notwithstanding anything in the Acts relating thereto) be deemed a county bridge, and shall be maintained, repaired, supported, paved, watched, and lighted accordingly; and save that expenditure for the rebuilding of the bridge or other extraordinary expenditure connected therewith shall be defrayed as if the same were to all intents a county bridge.

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14. If any difference arises between the trustees and the Court of Quarter Sessions of any county with respect to any expenditure under this Act, the same shall be determined by arbitration, the arbitrator to be appointed in case of difference by one of Her Majesty's Principal Secretaries on the application of either party, and the costs of the arbitration shall be in the discretion of the arbitrator.

Arbitration as to Kingston-upon-Thames Bridge.

15. Provided always, that nothing in this Act shall authorize the extinction of tolls on Kingston-upon-Thames Bridge until the debt owing in respect of that bridge has been fully paid and satisfied.

Saving as to debt on Kingston-upon-Thames Bridge.

16. Chingford Bridge mentioned in the Act of 1868 and in this Act shall for all the purposes of those respective Acts be deemed to comprise the bridges over the two streams of the River Lee near Chingford Mills, (that is to say,) over the Chingford Mill Stream and over the old River Lee and the intermediate road and the approaches to those bridges respectively as the same are at the time of the passing of this Act severally maintained by the Lee Conservancy Board, and when and so soon as any transfer of those bridges shall be made, or the tolls taken in respect thereof shall be extinguished by the joint committee, the intermediate road and approaches aforesaid shall become public highways and be maintainable and repairable accordingly.

As to Chingford Bridge.

17. The powers of the joint committee by this Act over the Tottenham Mills Bridge belonging to the New River Company shall comprise and be confined to the purchase of the tolls and the acquisition of the Bridge called Tottenham Mills Bridge, and on the completion of such purchase and acquisition so much of the road called Halefield Road or Ferry Lane as is claimed to be the property of the New River Company shall become and be a public highway and be maintainable and repairable accordingly.

Provision as to Tottenham Mills Bridge.

18. Tottenham Mills bridges, wheresoever mentioned or referred to in the Act of 1868 and in this Act, shall for all the purposes of those respective Acts be deemed to comprise the bridge over the

Provision as to Hellyer's Ferry Bridge.

A.D. 1869. — old River Lee called Hellyer's Ferry Bridge and the approaches thereto (except the bridge over the Copper Mill Stream) as the same severally belong or are claimed to belong to or are maintained by the East London Waterworks Company, and the powers of the joint committee in respect to the undertaking and property of the East London Waterworks Company shall comprise and be confined to the Hellyer's Ferry Bridge, and when and so soon as any transfer of that bridge shall be made, or the tolls taken in respect thereof shall be extinguished by the joint committee, the roads constituting those approaches shall become public highways and be maintainable and repairable accordingly.

Power to
raise money.

19. The joint committee may from time to time by borrowing, at interest, or by such other means and in such manner as they from time to time think fit, raise such sums as they think fit, not exceeding in the whole the sum of one hundred and fifty thousand pounds, on the security or on account of the London coal and wine duties for the year ending the fifth day of July one thousand eight hundred and eighty-nine, and the corporation and the board, on the application of the joint committee, may from time to time, if they think fit, issue joint or several bonds or other joint or several securities under their respective common seals for securing the repayment, with interest, out of the London coal and wine duties for the last-mentioned year of any money borrowed under this section or any part thereof.

Application
of money
raised.

20. The joint committee shall apply all money raised by them under this Act for the purposes of this Act and not otherwise.

Expenses of
Act and
execution
of it.

21. The costs, charges, and expenses preliminary to, and of and incidental to the preparing, applying for, obtaining, and passing of this Act, and all expenses incurred by the joint committee in the execution of this Act, shall be defrayed by them out of money raised by them under this Act.