

CHAPTER ccvi.

An Act to confer powers on the London County Council for the reconstruction of Bridges the improvement of Streets and the acquisition and management of Land for various purposes in the Administrative County of London to provide for contributions by Local Bodies towards the cost of certain Works to empower the Council to grant Superannuation Allowances in certain cases to establish a Provident Fund for Officers and Servants and to hold inquiries as to Markets and for other purposes. A.D. 1891.

[5th August 1891.]

WHEREAS it is expedient to confer on the London County Council (hereinafter called "the Council") powers to make the works and improvements hereinafter described viz. :—

The reconstruction of the bridge across Bow Creek at Barking Road;

The reconstruction of certain bridges in the Isle of Dogs viz. :—

- (a) The Preston Road Bridge;
- (b) The Limehouse Entrance Bridge;
- (c) The City Arms Bridge; and
- (d) The South Dock East Entrance Bridge;

The formation of a new street from Evelyn Street to Creek Road Deptford;

The widening of Saint George's Place Knightsbridge;

The widening of Fulham Palace Road and Queen Street Hammersmith; and

The widening of Fortess Road Kentish Town:

And whereas it is expedient for the purpose of the Metropolitan Fire Brigade Acts to enable the Council to purchase certain land in the parish of Lambeth hereafter described and it is also expedient to empower the Council to purchase and acquire lands as described in this Act:

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And whereas an agreement (a copy of which is set out in the Second Schedule to this Act) has been made between the Council of the one part and the mayor aldermen and burgesses of the borough of West Ham (in this Act called "the corporation of West Ham") of the other part with reference to the reconstruction of the said bridge across Bow Creek and the said agreement recites that the said bridge is out of repair and that the Council and the said corporation are desirous that it should be removed and a new bridge constructed with new approaches :

And whereas the said agreement relates in part to an arrangement between the Council and the corporation of West-Ham as to the introduction of the Bill for this Act and in part to the method of constructing the said bridge and works and the apportionment of the cost thereof between the Council and the said corporation and it is expedient that the said agreement so far as relates to matters to be done after the passing of this Act should be confirmed and made binding on the Council and the corporation of West Ham respectively :

And whereas it is also expedient in order to enable the corporation of West Ham to complete the said arrangement that provision should be made as to their raising the necessary funds :

And whereas estimates have been prepared for the purchase of land and for the execution of the works by this Act authorised in connection with the Barking Road Bridge being permanent works within the meaning of section 234 of the Public Health Act 1875 and such estimates amount to seventy-two thousand pounds :

And whereas the powers of the Council for the compulsory purchase of land for the portion of the new street from Gray's Inn Road to Saint John Street Road which is now in course of construction and for the completion of the said work will expire on the sixth day of August one thousand eight hundred and ninety-one and it is expedient that the same powers should be extended :

41 & 42 Vict.
c. cxlv.

And whereas Plumstead Common is under the management of the Council by virtue of the Plumstead Common Act 1878 :

And whereas certain land adjoining the said common on the northern side belonging to the Provost and Fellows of Queen's College Oxford is in course of being laid out for building purposes and certain houses thereon have been so erected as that an inadequate space of roadway has been left between the said houses and the common :

And whereas the Council have refused to sanction the erection of further houses on the said land unless provision be made for a better roadway : A.D. 1891.

And whereas it has been agreed between the Council and the said provost and fellows that in consideration of a small strip of the common being thrown into the roadway land of equal area should be given by the said provost and fellows to and accepted by the Council as an addition to the common instead thereof and it is expedient that the said arrangement should be confirmed :

And whereas it is expedient that certain lands in the parish of Camberwell adjoining Peckham Rye Common on the south side should be purchased and acquired for the use of the public and it has been arranged subject to the approval of Parliament that the Charity Commissioners should provide a sum of twelve thousand pounds and the vestry of the parish of Camberwell should provide a sum of twenty thousand pounds and that other vestries should contribute as hereinafter provided towards such purchase subject to the Council contributing towards the expense thereof as hereinafter provided and it is expedient that provision should be made as in this Act contained for carrying the said arrangement into effect :

And whereas the piece of land in the parish of Charlton of which the dimensions and boundaries are described in the Fifth Schedule to this Act has been presented by Sir Spencer Maryon Maryon-Wilson Baronet to the Council to be maintained by them for the use of the public for exercise and recreation and it is expedient that the said grant should be confirmed and provision made as in this Act contained with reference to the said piece of land :

And whereas it is expedient that powers should also be conferred for the acquisition and management of Bostall Woods adjoining Bostall Heath :

And whereas the Council were by the London Council (General Powers) Act 1890 authorised to purchase and take by agreement certain lands in the parish of Lambeth in the county of London known as Brockwell Park for the perpetual use thereof by the public for exercise and recreation :

And whereas having regard to a voluntary settlement completed by Joshua John Blades Blackburn on the twenty-second day of December one thousand eight hundred and eighty-eight by indentures dated or executed on the seventeenth eighteenth and twenty-second days of December one thousand eight hundred and eighty-eight and to the provisions of the 47th section of the Bankruptcy Act 1883 a conveyance of Brockwell Park to the Council may possibly be invalidated or affected in the event of the

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A.D. 1891. said Joshua John Blades Blackburn becoming bankrupt within ten years from the twenty-second day of December one thousand eight hundred and eighty-eight and it is expedient that the provision hereinafter contained be made with reference to the said conveyance and the purchase money of Brockwell Park :

And whereas it has been arranged subject to the approval of Parliament that certain of the works and purchases proposed to be made under the powers of this Act should be carried out by the Council with the aid of contributions from the local authorities of the districts within which the works or land are situate and it is expedient that provision should be made accordingly :

51 & 52 Vict.
c. clxxiv. And whereas by section 8 of the Raleigh Park (Brixton) Act 1888 the Metropolitan Board of Works were empowered and required in certain contingencies to contribute in aid of the purchase money for the lands referred to in the said Act a sum of money calculated at the rate of one thousand pounds per acre for so much of the said lands as should be devoted to public use as an open space and by section 8 of the said Act it was provided that such sum should be paid by the Metropolitan Board of Works to the vestry of the parish of Lambeth at the time of the completion of the purchase :

And whereas the Council subsequently agreed at the request of the vestry of Lambeth to contribute and have contributed a large sum of money towards the purchase and acquisition of certain other lands in the parish of Lambeth known as Brockwell Park in consideration of an arrangement that they should be released from any future liability to contribute any money under the said section of the Raleigh Park Act :

And whereas there are certain lands known as North Woolwich Gardens about ten acres in extent at North Woolwich partly in the county of London and partly in the county of Essex abutting on the River Thames which it would be advantageous to retain and preserve for the purpose of a public garden or recreation ground :

And whereas arrangements have been made for the purchase of the said gardens at a cost of nineteen thousand pounds provided partly by a contribution from the Charity Commissioners out of the City Parochial Charities Fund and partly by private subscription :

53 & 54 Vict.
c. ccxliii. And whereas the Council were empowered by the London Council (General Powers) Act 1890 to contribute towards the completion of the said purchase and to undertake the maintenance and management of the said gardens as a place of public resort and recreation and the local board of East Ham are also willing to contribute a sum of money towards the purchase of the said gardens on being

[54 & 55 VICT.] *London Council (General Powers) Act, 1891.* [Ch. ccvi.]

empowered so to do and it is expedient that provision should be made with that object: A.D. 1891.

And whereas under the Act 29 Victoria chapter 31 entitled "An Act to provide for superannuation allowances to officers of vestries and other boards within the area of the Metropolis Management Act" (hereinafter called "the Superannuation Act 1866") the Metropolitan Board of Works were empowered to grant annual allowances in the nature of superannuation allowances or gratuities to persons who should have served in an established capacity as officers: 29 Vict. c. 31.

And whereas in addition to the Superannuation Act 1866 the following enactments are in force with reference to the superannuation or other allowances or gratuities to certain classes of persons in the employ of the Council viz. :—

The Metropolis Management Act 1855 (section 213).	As regards persons formerly in the employ of the Metropolitan Board who had been previously in the employment of the Commissions or Commissioners of Sewers therein mentioned:	18 & 29 Vict. c. 120.
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The Fire Brigade Act 1865 (section 8).	As regards the chief officers and men of the Metropolitan Fire Brigade and their wives and families:	28 & 29 Vict. c. 90.
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The London Parks and Works Act 1887 (section 6).	As regards persons formerly holding any office under the Commissioners of Works in connection with the Parks and Works transferred by that Act to the Metropolitan Board:	50 & 51 Vict. c. 34.
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The Lunacy Act 1890.	As regards officers or servants of any asylum for pauper lunatics belonging to or under the control of the Council or the asylums committee of the Council or any sub-committee thereof:	53 Vict. c. 5.
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The Middlesex Industrial School Acts.	As regards officers or servants of an industrial school belonging to or under the control of the Council under these Acts:	
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And the Superannuation Act 1866 and the last recited enactments are hereafter collectively referred to for the purposes of this Act as "the Superannuation Acts":

And whereas by sub-section 8 of section 40 of the Local Government Act 1888 the powers duties and liabilities of the Metropolitan Board of Works were transferred to the Council and it was provided that after the appointed day the property debts and liabilities of the Metropolitan Board of Works should be transferred to the 51 & 52 Vict. c. 41.

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Act, 1891.

A.D. 1891. Council and that the Council should be the successors of the said Board:

51 & 52 Vict.
c. 41. And whereas under the provisions of section 109 of the Local Government Act 1888 and an order made by the Local Government Board thereunder dated the nineteenth day of March one thousand eight hundred and eighty-nine the appointed day for the purposes of the said Act is so far as relates to the transfer to the Council of the powers duties property debts and liabilities of the Metropolitan Board of Works and to the officers and servants of the said Board the twenty-first day of March one thousand eight hundred and eighty-nine:

And whereas by section 119 of the Local Government Act 1888 it is enacted that the officers and servants of the Metropolitan Board of Works who held office at the time of the passing of that Act and who by virtue thereof became officers and servants of the Council shall be entitled to not less pensions (if any) than they would have if that Act had not been passed:

And whereas in addition to the officers and servants transferred under the provisions of the Local Government Act 1888 to the Council from the service of the Metropolitan Board of Works and from the justices of the peace for the counties of Middlesex Kent and Surrey the Council have appointed various other officers servants and persons with reference to the business transferred to them by the Local Government Act 1888 and with reference to the general duties of the Council:

And whereas by a resolution passed on the second day of April one thousand eight hundred and eighty-nine the Council resolved that—

“All persons to be appointed by the Council shall be appointed
“ on the distinct understanding that no superannuation or
“ pension shall be attached to the office and shall enter into
“ an agreement with the Council that they are appointed and
“ accept office on that understanding and that it shall be
“ referred to the standing committee of the Council to have
“ such agreement prepared and submitted to the Council for its
“ approval and to consider a scheme for promoting insurance
“ among the servants of the Council”:

And whereas by a resolution passed on the ninth day of July one thousand eight hundred and eighty-nine it was resolved—

“That the following words be added to the standing order of the
“ Council with reference to superannuation (meaning thereby
“ the recited resolution of the second day of April one thousand
“ eight hundred and eighty-nine) ‘Provided that this order

“ shall not apply to the members of the Metropolitan Fire
“ Brigade ” : A.D. 1891.

And whereas since the date of the said resolution of the second day of April one thousand eight hundred and eighty-nine all officers servants and persons appointed by the Council except the officers and men of the Metropolitan Fire Brigade have been appointed upon the understanding expressed in the said resolution of the second day of April one thousand eight hundred and eighty-nine :

And whereas it is doubtful to what extent and in what cases the powers and duties of the Metropolitan Board of Works under the Superannuation Act 1866 and otherwise in regard to superannuation allowances were by virtue of the said enactments transferred to the Council And doubts have arisen as to whether certain persons employed by the Metropolitan Board of Works are officers acting in an established capacity within the meaning of the said Superannuation Act 1866 and as to the powers and duties of the Council with reference to such persons and it is expedient that provision should be made with reference thereto as in this Act set forth and that the Council should be empowered to establish a provident fund in lieu of any other provisions as to superannuation for officers and servants (except members of the Metropolitan Fire Brigade) appointed by them since the twenty-first day of March one thousand eight hundred and eighty-nine at which date the powers and functions of the Metropolitan Board of Works were transferred to the Council under the Local Government Act 1888 : 29 & 30 Vict.
c. 31.

And whereas it is expedient that certain powers should be conferred to enable the Council to consider the question of markets in the administrative county of London :

And whereas the objects aforesaid cannot be accomplished without the authority of Parliament :

And whereas the Council have caused to be deposited with the respective clerks of the peace for the counties of London and Essex plans and sections describing the lines and levels of the works by this Act authorised and the lands which may be taken for the purposes thereof and 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 :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and

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A.D. 1891. 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 Council (General Powers) Act 1891.

Interpreta-
tion of terms. 2. In this Act the following words and expressions have the several meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say):—

“The Council” means the London County Council;

“The improvements” means and includes the new bridges the widening and improvement of streets and the works connected therewith by this Act authorised;

“Street” has the meaning assigned to that term in the Metropolis Management Act 1855 and the Acts amending the same;

“Justice” means justice of the peace acting for the county borough liberty or place where the matter requiring the cognizance of any such justice shall arise and who shall not be interested in the matter. When any matter shall require to be done before justices the expression “two justices” shall be understood to mean two justices assembled and acting together in petty sessions or a metropolitan police magistrate sitting alone;

“Lessee” includes any person holding a sub-lease;

And the several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned have in this Act the same respective meanings unless there be in the subject or context something repugnant to or inconsistent with such construction:

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 and that for the purposes of this Act the expression “superior courts” or “court of competent jurisdiction” or any other like expression in this Act or any Act wholly or partly incorporated herewith shall be read and have effect as if the debt or demand with respect to which the expression is used were a simple contract debt and not a debt or demand created by statute.

Incorpora-
tion of Lands
Clauses Acts.

3. The Lands Clauses Acts are (except where expressly varied by this Act) incorporated with and form part of this Act.

PART I.

A.D. 1891.

BRIDGES STREET IMPROVEMENTS.

4. Subject to the provisions of this Act in the lines 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 works hereinafter described :—

Power to
Council to
make works.

BARKING ROAD BRIDGE.

The Council may remove and alter the iron bridge across Bow Creek connecting the East India Dock Road with the Barking Road partly in the parish of Saint Leonard Bromley in the county of London and partly in the parish of West Ham in the county of Essex and may construct instead thereof a new bridge at or near the site of the said iron bridge with approaches ;

The approach on the western side to commence in East India Dock Road in the parish of Saint Leonard Bromley and the approach on the eastern side to commence in the parish of West Ham in the Barking Road ;

The Council may make a new street in the said parish of Saint Leonard Bromley in substitution for part of Lea Place The new street to commence in Abbott Road near its junction with the East India Dock Road and to terminate by a junction with Lea Place ;

The Council may stop up and appropriate that portion of Lea Place which is contiguous to the north side of the East India Dock Road as shown on the deposited plans.

ISLE OF DOGS BRIDGES.

The Council may construct in the parish of All Saints Poplar the bridges hereafter described viz. :—

(A) *Preston Road Bridge.*

A new bridge with approaches across the entrance from the Blackwall Reach of the River Thames to the Blackwall Basin of the West India Docks on the eastern side of the existing swing bridge over that entrance.

(B) *Limehouse Entrance Bridge.*

A new bridge with approaches across the entrance from the Limehouse Reach of the River Thames to the Limehouse Basin of the West India Docks on the eastern side of the existing swing bridge over the said entrance.

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(c) *City Arms Bridge.*

A new bridge with approaches across the entrance from the Limehouse Reach of the River Thames to the South Dock of the West India Docks on the site of the existing swing bridge.

(D) *South Dock East Entrance Bridge.*

A new bridge with approaches across the entrance from the Blackwall Reach of the River Thames into the South Dock Basin of the West India Docks on the site of the existing swing bridge over the said entrance:

And the Council may remove the said existing swing bridges and the footbridge now existing across the entrance from the said Blackwall Reach to the Blackwall Basin hereinbefore described.

NEW STREET FROM EVELYN STREET TO CREEK ROAD (DEPTFORD).

The Council may make a new street between Evelyn Street and Creek Road Deptford in the parishes of Saint Paul Deptford and Saint Nicholas Deptford commencing in the said parish of Saint Paul Deptford at the junction of Evelyn Street with New King Street and terminating in Creek Road:

Provided that the said new street shall not be commenced without the consent of the Board of Works for the Greenwich District under their common seal.

WIDENING OF SAINT GEORGE'S PLACE KNIGHTSBRIDGE.

The Council may widen the Knightsbridge Road on the southern side thereof at Saint George's Place between Wilton Place and William Street opposite Albert Gate partly in the parish of Saint George Hanover Square and partly in the parish of Saint Margaret Westminster.

WIDENING OF FULHAM PALACE ROAD AND QUEEN STREET
HAMMERSMITH.

The Council may widen and improve Fulham Palace Road and Queen Street opposite Saint Paul's Church in the parish of Saint Peter and Saint Paul Hammersmith.

WIDENING OF FORTRESS ROAD KENTISH TOWN.

The Council may widen Fortress Road Kentish Town on the east side thereof commencing on the north at the entrance to Fortress Grove and Fortress Mews and terminating on the south in the

Kentish Town Road at or near the junction of Fortess Road with Highgate Road and may widen and improve the western end of Falkland Road or Blandford Place where they join Fortess Road and may continue Falkland Road into Fortess Road in the parish of Saint Pancras. A.D. 1891.
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5. 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 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. Power to take lands.

6. Subject to the provisions of this Act the Council may purchase and take for the purposes of the Metropolitan Fire Brigade Acts the lands hereinafter described so far as they are delineated on the deposited plans and described in the deposited book of reference viz. :— Purchase of lands for fire brigade purposes.

Certain land in the parish of Lambeth consisting of the site of the fire brigade station of the Council and also other property on the east side of Renfrew Road between the said fire brigade station and the houses fronting Lower Kennington Lane ; but nothing in this Act or on the deposited plans or book of reference shall be deemed to authorise any interference with the carriage-way or footway of Renfrew Road.

7. 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 of water) 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.

8. 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 such proposed correction apply to two justices for the correction thereof and if it shall appear to such justices that such omission misstatement or erroneous description arose from mistake they shall certify the same Errors and omissions in plans &c. to be corrected by justices who shall certify the same.

A.D. 1891. — accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace for the county of London or Essex as the case may be 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.

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

9. 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 be taken and used as aforesaid or any of them 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.

As to certain house property.

10. Whereas in the construction of the works hereby authorised or otherwise in exercise of the powers of this Act 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 the owners of and other persons interested in the properties numbered on the deposited plans as specified in the First 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 : A.D. 1891.

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

11. The arbitrator arbitrators umpire or jury 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 he or they 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

Costs of
arbitration
&c. in certain
cases.

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A.D. 1891. — 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 to 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.

Power to stop up ways temporarily for the purposes of improvements.

12. The Council for the purposes and during the making of the improvements may in or upon the lands shown in connection therewith upon the deposited plans stop up or cause to be stopped up temporarily all or any part of the carriage-way or footway which they shall think necessary for such purposes to be stopped up and may from time to time put or cause to be put up sufficient palisades hoardings bars posts and other erections and may make from time to time such orders for regulating the traffic as to them shall seem proper.

Powers to make works in connection with bridges.

13. For the purposes of the works authorised by this Act the Council may subject to the provisions of this Act alter and interfere with the banks bed and foreshore of any river or waterway within the limits of deviation shown on the deposited plans and may erect such temporary bridges and staging in upon or over such river or waterway as may be necessary or convenient.

Streets may be raised or lowered.

14. Subject to the provisions of this Act the Council may for the purposes of and in connection 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.

Power to deviate from levels &c.

15. 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 lines 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 in the case of the Barking Road Bridge five feet from the said levels and not exceeding in the case of any of the other works three feet from the levels thereof as defined on the said sections. But the Council shall not under the powers of this section without the consent in writing of the borough engineer of West Ham raise the level of the Barking Road Bridge or the approach thereto so far as they will be within the said borough above that defined on the section thereof signed by Alexander Richardson Binnie on behalf of the Council and by Lewis Angell on behalf of the corporation of West Ham.

A.D. 1891.

16. Subject to the provisions of this Act and within the limits defined on the deposited plans the Council in connection with and for the purposes of the works by this Act authorised may make junctions and communications with any existing streets interfered with by or contiguous to the said works and may divert widen or alter the line or level of any existing street for the purpose of connecting the same with the said works. The Council may appropriate the site of any street passage or place within the limits of deviation shown on the deposited plans which they may consider unnecessary to retain as a thoroughfare or to throw into the improvements and the site thereof so far as it adjoins land acquired by the Council shall thereupon become vested in them and all rights of way or other rights over the same shall be thereupon extinguished. And the Council may alter divert or stop up all or any part of any street and 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 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 and the lamp-posts paving metalling or materials in on or under any street so altered diverted or stopped up and 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.

Power to
make
subsidiary
works.

17. The Council may for any purpose in connection with the improvements upon the lands acquired by them under the powers of this Act and also in any street within the limits of deviation defined on the deposited plans raise sink or otherwise alter the position of any watercourse water pipe or gas pipe belonging to or connected with any house or building and also any main or other pipe laid down or used by any company or person for carrying a supply of water or gas and also 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

Alteration of
position of
water gas
and other
pipes.

A.D. 1891. — 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 who suffers damage by any such alteration. Provided always that before the Council alter the position of any main or other pipe 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 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 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 or other pipe 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 :

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 Institute of Civil Engineers whose decision shall be final and binding and the expenses of the reference shall be borne as the referee may direct :

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 : A.D. 1891.

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.

18. The Council may cause such parts of the improvements to be laid out for carriage-way 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 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 within the limits of deviation defined on the deposited plans and in laying out or forming such carriage-way and footway and works the Council may in addition to the powers by this Act conferred exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only as are imposed upon any vestry or district board of works in London when they stop up temporarily any thoroughfare or any part thereof in the repairing or repaving of any street. Council empowered to lay out carriage-ways.

19. The Council shall for the purposes of and in connection 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. Directing how the pavement shall be laid and made.

A.D. 1891.

Sewers or
drains to be
arched over
or filled up.

20. The Council may cause to be 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 so as 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 any wise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient Provided always that before 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.

Power to
alter steps
areas pipes
&c.

21. The Council within the limits of deviation defined on the deposited plans may for the purposes of and in connection 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 company society or person who suffers damage by any such alteration.

Temporary
occupation.

22. For the purposes of or in connection with any of the improvements the Council may enter upon and use temporarily any road within the limits of deviation shown on the deposited plans of such improvement and also any lands roads footways or towing paths within the limits of deviation shown on the said deposited plans having given three weeks previous notice in writing to the owners and occupiers of the same of their intention to enter upon the same for such purposes and without being required to purchase or acquire the said premises or any of them and making compensation to the persons and in the manner prescribed by sections 43 and 44 of the Railways Clauses Consolidation Act 1845 in all cases where the Company shall not be required to purchase lands and where they shall take temporary possession of lands by virtue of the powers in the special Act granted and for the purposes of this Act the expression "the Company" in the said sections shall mean the Council.

A.D. 1891.

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

Limitation of time for purchase of lands.

24. If any of the improvements be not completed within five 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 such improvement shall cease (except so far as the same shall have been then completed).

Period for completion of improvements.

25. When each of the improvements 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 certificate has been duly made and from the date of such certificate so much of any improvement as shall have been laid out for carriage-way or footway shall form part of the street and may be used by the public accordingly The soil under the new streets and approaches and the widenings of streets shall be and remain vested in the Council and the maintenance repair paving cleansing and lighting thereof shall be under the care management control and jurisdiction of the authority in whom the management and repair of streets is vested in the same manner as other streets in their district.

Improvements to form a street Repair &c.

26. It shall not be lawful for any corporation company or person to break up or interfere with any of the said new bridges for laying down any gas water or other main or pipe or other work except with the consent in writing of the Council or of the authority or authorities in whom the said bridge may be vested.

Protecting bridges from being broken up.

Nothing in this section shall be deemed to render any such consent as aforesaid necessary to the exercise by Her Majesty's Postmaster-General of the powers and rights conferred upon him by section 6 of the Telegraph Act 1878.

27. 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 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 sell materials.

28. 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 improvements or such parts thereof as the Council shall think it expedient to let on building leases either

Power to lease surplus lands.

A.D. 1891.

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 nonpayment 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 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.

As to sale
of ground
rents.

29. 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 or otherwise in such manner in all respects as the Council shall think fit.

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30. 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 hereinbefore directed all or any lands acquired under the powers of this Act and not required for the improvements 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 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 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.

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

Council may let or exchange lands.

32. Subject to the provisions of this Act the Council shall on or before the first day of September in the year one thousand nine hundred and forty-nine which period shall be the prescribed period for the purposes of section 127 of the Lands Clauses Consolidation Act 1845 sell and dispose of all lands acquired by them under the

Council to dispose of lands not wanted.

[Ch. ccvi.] *London Council (General Powers) [54 & 55 Vict.]*
Act, 1891.

A.D. 1891. powers of this Act and which shall not be required for any of the purposes of this Act.

Receipts of Council to be effectual discharges.

33. 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 same 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.

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

34. The Council may subject to the provisions of this Act from time to time 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 any 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 such improvement) 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.

Restrictions on displacing persons of labouring class.

35.—(1) The Council shall not under the powers of this Act except with the consent of the Secretary of State for the Home Department complete the purchase of twenty or more houses in any parish which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially 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.

(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. A.D. 1891.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out in the event of the Council proceeding with the improvement 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 any of the requirements in this sub-section mentioned 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 any such requirements as aforesaid 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 erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings 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 passing of this Act be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

[Ch. ccvi.] *London Council (General Powers)* [54 & 55 VICT.]
Act, 1891.

A.D. 1891. Provided also that the Secretary of State may at any time dispense with all or any of the requirements of this sub-section 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 Metropolitan Building Act 1855 and the Metropolis Management Act 1855 and any Act or Acts amending those respective Acts.

(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 and may give effect to any of the provisions of this section and every such inspector shall for the purposes of any such inquiry have all such powers as inspectors of the Local Government Board have for the purposes of inquiries directed by that 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 service of such inspector.

(11) For the purposes of this section the expression "labouring class" includes mechanics artizans 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 such persons who may be residing with them.

Confirming
agreement as
to Barking
Road
Bridge.

36.—(1) The agreement between the Council and the corporation of West Ham dated the fourth day of December one thousand eight hundred and ninety of which a copy is set out in the Second Schedule to this Act is hereby confirmed so far as it relates to things to be done after the passing of this Act and shall be carried into effect by the Council and the corporation respectively.

(2) With reference to and for the purposes of the approach on the West Ham side of the Barking Road Bridge which under the provisions of the said agreement is to be constructed by the corporation of West Ham all the provisions of this Part of this Act as to purchase of land and construction of works and incidental thereto respectively shall be read and have effect as if the said corporation were named therein instead of the Council and the said corporation shall exercise and carry into effect such powers accordingly And if any question arise between the Council and

the corporation of West Ham as to the limits of the new bridge and the approach on the West Ham side respectively or as to whether any steps in relation thereto are to be taken or any works executed by the Council or the said corporation such difference shall be determined by the President of the Institution of Civil Engineers or by an engineer to be nominated by him for that purpose on the application of either party. A.D. 1891.

37. From and after the completion of the Barking Road Bridge and the approaches thereto by this Act authorised the same shall be respectively maintained repaired paved cleansed and lighted in the same manner and by the same authority as the existing bridge and the existing approaches thereto respectively for which the new bridge and approaches are substituted. Subsequent maintenance and lighting of bridge, and approaches.

38. The corporation of West Ham may from time to time borrow moneys for all or any of the purposes mentioned in the agreement a copy of which is set forth in the Second Schedule to this Act and for the payment of the costs and expenses incurred by them of and incident to the said agreement and may mortgage their borough fund and borough rate to secure the repayment of the moneys so borrowed with interest and the following provisions shall have effect with respect thereto:— Power to corporation of West Ham to borrow.

- (1) The corporation may from time to time borrow any sum or sums not exceeding in the whole the sum of twenty-six thousand pounds and such further sums as the Local Government Board may approve :
- (2) The powers of borrowing and reborrowing money by this Act given to the corporation shall not be restricted by any of the provisions of the Public Health Acts and in calculating the amount which the corporation may borrow under any other Act any sum which they may borrow under this Act shall not be reckoned :
- (3) A person lending money to the corporation shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss or misapplication of such money or any part thereof :
- (4) Subject to the provisions of this Act section 236 (Form of mortgage) section 237 (Register of mortgages) section 238 (Transfer of mortgages) and section 239 (Receiver may be appointed in certain cases) of the Public Health Act 1875 shall extend and apply mutatis mutandis to and in relation to mortgages made by the corporation under the provisions of this Act :

A.D. 1891.

(5) Subject to the provisions of this Act the corporation shall pay off all money borrowed by them under the powers of this Act other than moneys borrowed with the approval of the Local Government Board within a period of sixty years from the time or respective times of borrowing the same and any moneys borrowed by them under the powers of this Act with the approval of the Local Government Board within such period from the time or respective times of borrowing the same as that Board may determine (which respective periods are hereinafter referred to as "the prescribed period") by any one or more of the methods following (that is to say):—

(a) By equal yearly or half-yearly instalments of principal or of principal and interest; or

(b) By means of a sinking fund; or

(c) Partly by instalments and partly by a sinking fund:

(6) In case the corporation repay any money borrowed by them under this Act by means of a sinking fund they shall within twelve months after borrowing the same and thenceforth annually on the same or some earlier day appropriate and set apart out of the West Ham borough fund and borough rate or one of them such equal sums as will with the accumulations thereof by way of compound interest at three per centum per annum be sufficient to pay off the whole of such money within the prescribed period. Provided as follows:—

(a) The yearly sums so to be appropriated and set apart shall be invested from time to time and accumulated in the way of compound interest by investing the same and the income thereof respectively in statutory securities as defined by the West Ham Corporation (Loans) Act 1888;

(b) The corporation may at any time apply the whole or any part of the sinking fund so set apart by them in or towards the repayment of the borrowed moneys for the repayment of which such sinking fund was set apart in such order and manner as they deem proper provided that in such case they pay into the sinking fund in each year afterwards and accumulate as hereinbefore prescribed until the whole of the borrowed moneys to which the sinking fund is applicable are discharged a sum equal to the interest which will have been produced by the sinking fund or part thereof so applied at the rate per centum on which the calculation for the payments to the sinking fund are based. Provided also that whenever and so long as the yearly income arising from the sinking fund would if invested

at the same rate of interest as is payable on the borrowed moneys then outstanding be equal to the annual interest of such borrowed moneys the corporation may in lieu of investing the said yearly income apply the same in payment of such interest and may during such periods discontinue the payment to such sinking fund of the yearly sum required to be so paid thereto :

- (7) The corporation may from time to time borrow at interest on mortgage as aforesaid any money necessary for repaying any principal money borrowed by them under this Act on the same becoming repayable or for the paying off of any such principal money as they can reborrow at a lower rate of interest and so from time to time provided that the corporation shall not reborrow any moneys paid off by means of instalments or a sinking fund and that all moneys reborrowed by them shall be repaid within the prescribed period and shall be deemed to form the same loan as the moneys originally borrowed:
- (8) The corporation may raise all or any of the moneys which they are by this Act authorised to borrow by the creation and issue of adequate amounts of West Ham corporation redeemable stock authorised by the West Ham Corporation (Loans) Act 1888 :
- (9) The town clerk of the borough of West Ham shall within forty-two days after the first day of January of each year during which any sum is required to be set apart for a sinking fund or any instalment is required to be paid by them under this Act transmit to the Local Government Board a return in such form as may be prescribed by that Board and verified by statutory declaration of the town clerk if so required by them showing the amount which has been paid as an instalment or invested by the corporation for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of any wilful default in making such return the town clerk shall be liable to a penalty of not exceeding twenty pounds which shall be paid to the Local Government Board and shall be recoverable by that Board in the same manner as penalties recoverable under the Public Health Act 1875 in a summary manner may be recovered by parties aggrieved within

A.D. 1891.

the meaning of that Act. If it appear to the Local Government Board by such return or otherwise that the corporation have failed to pay any instalment or to set apart the sum required by this Act for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Act the Local Government Board may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by writ of mandamus to be obtained by the Local Government Board out of the High Court and the provisions of this section shall apply mutatis mutandis to appropriations and annual repayments in the event of the corporation borrowing under the provisions of the Local Loans Act 1875 :

- (10) The corporation if they think fit in lieu of borrowing on the security of mortgages or the issue of West Ham corporation redeemable stock as hereinbefore provided may borrow the moneys which they are by this Act authorised to borrow or any part thereof under the powers and subject to the provisions of the Local Loans Act 1875 by means of a loan or loans to be raised by the issue of debentures debenture stock or annuity certificates or partly in one way and partly in another :

Any moneys borrowed in manner by this sub-section authorised for any of the purposes of this Act shall be a charge upon and shall be paid out of the corporations borough fund and borough rate and such fund and rate shall be the local rate within the meaning and for the purposes of the Local Loans Act 1875 :

Every such loan shall be discharged within the prescribed period and if the corporation at any time think fit to form any sinking fund for the repayment of such loan all sums paid into the same shall as soon as may be unless the same be appropriated and used in the repayment of debt be invested by the corporation in statutory securities as defined by the West Ham Corporation (Loans) Act 1888 :

- (11) All money borrowed under this section shall be appropriated to purposes for which it is authorised to be borrowed and shall be expended exclusively on works or objects on which capital may properly be expended :

- (12) The Corporation shall not be bound to see to the execution of any trust whether express or implied or constructive to which any loan or security for loan given by them may be subject but the receipt of the person in whose name any loan or security for

A.D. 1891.

loan stands in the register of mortgages of the corporation shall from time to time be a sufficient discharge to the corporation in respect thereof notwithstanding any trusts to which such loan or security may be subject and whether or not the corporation have had express or implied notice of any such trust or of any charge or incumbrance upon or transfer of such loan or security or any part thereof or interest thereon not entered on their register And the corporation shall not be bound to see to the application of the money paid on any such receipt or be answerable or accountable for any loss mis-application or non-application of any such money.

39. The agreement (hereinafter referred to as "the Isle of Dogs Bridges Agreement") between the Council the London and India Docks Joint Committee and the East and West India Dock Company dated the twelfth day of March one thousand eight hundred and ninety-one of which a copy is set out in the Third Schedule to this Act is hereby confirmed and shall be carried into effect by the parties thereto so far as it relates to things to be done after the passing of this Act.

Confirming
agreement
as to Isle
of Dogs
Bridges.

40. And whereas the West India Dock Company were constituted by the Act (Local) 39 George III. cap. LXIX. and were incorporated by the Act (Local) 1 and 2 William IV. cap. LII. and by the Act (Local) 1 Victoria cap. IX. the undertaking of the East India Dock Company was vested in the West India Dock Company and the name of the last-mentioned Company was changed to that of the East and West India Dock Company :

Provisions
as to
working and
maintenance
of Isle of
Dogs
Bridges.

And whereas the Isle of Dogs Bridges were constructed and are now maintained under the powers and subject to the provisions of section 63 of the said Act of the 39 George III. cap. LXIX. and section 54 of the said Act of the 1 and 2 William IV. cap. LII. copies of which sections are set out in the Fourth Schedule to this Act :

And whereas by the London and Saint Katharine and East and West India Docks Act 1888 it was provided (section 4) that the undertakings of the London and Saint Katharine Docks Company and of the East and West India Dock Company should be worked as one from the first day of January one thousand eight hundred and eighty-nine in that Act referred to as "the commencement of the working union" and (section 31) that from and after the commencement of the working union all the powers and authorities rights and privileges immunities and exemptions duties and obligations vested in enjoyed by or attaching to the

A.D. 1891.

two companies respectively or either of them or their respective directors or any committee of them in relation to the matters thereafter following should be and the same as from that time were thereby subject to the provisions of that Act transferred to and vested in or imposed on the London and India Docks Joint Committee by that Act constituted and incorporated (hereinafter referred to as "the Docks Joint Committee") such matters including the working maintenance and management of the undertakings of the two companies and the execution and providing works and conveniences by the two companies. Be it therefore enacted that subject to the provisions of the Isle of Dogs Bridges Agreement and after the completion of each of the several bridges in the Isle of Dogs and the approaches thereto respectively by this Act authorised such bridge shall vest in the East and West India Dock Company for the same estate and interest as the existing bridge for which it is substituted and shall at all times be properly and efficiently worked by the Docks Joint Committee and shall be kept in good and substantial repair by that committee under and in accordance with the provisions of section 63 of the Act (Local) of the 39 George III. cap. LXIX. and section 54 of the Act (Local) of the 1 and 2 William IV. cap. LII, as if it were a bridge constructed by the said company under those sections and the approaches thereto on each side respectively shall be maintained repaired paved cleansed and lighted in the same manner and by the same authority as those parts of the approaches to the existing bridges for which the new approaches are substituted. Each such bridge shall be kept closed by the Docks Joint Committee for public use as part of the public highway except when they may require to swing the same for the purposes of their business. Provided that the use of such bridge for road traffic shall in each case be interrupted for as short a period as is reasonably practicable.

For the
protection of
the North
London
Railway
Company.

41. During the construction of the Preston Road Bridge with its approaches across the entrance from the Blackwall Reach of the River Thames to the Blackwall Basin of the West India Docks the Council shall cause as little interference as reasonably practicable with the traffic passing to and from the North London Railway Company's docks at Poplar and the River Thames or with carts and carriages passing to and from the gate leading from Preston's Road to the warehouses and other property belonging to the North London Railway Company and occupied at the passing of this Act by the London and North-Western Great Western and Great Northern Railway Companies or with the use of the said entrance by the North London Railway Company or any vessels and craft

passing by the same entrance to or from their railway docks and in case of any interference with the traffic of the North London Railway Company as aforesaid the Council shall make compensation to the said company for all damage or loss occasioned to them by such interference such compensation in case the parties cannot agree to be ascertained and settled as provided by the Lands Clauses Consolidation Act 1845 and further shall indemnify the said company against all expenses incurred by them by reason of or in relation to any such interference.

A.D. 1891.

42. For the protection of the East London Waterworks Company (hereinafter called "the water company") the following provisions shall have effect namely:—

For the
protection of
the East
London
Waterworks
Company.

(1) Nothing in this Act shall authorise the Council or the corporation otherwise than by agreement to enter upon purchase or take any lands or property of the water company or to interfere with any of their mains or pipes for the purpose of the Barking Road Bridge by this Act authorised except that in the construction of the said bridge the Council may in accordance with plans and sections and in manner to be previously submitted to and approved by the engineer of the water company remove the pipe therein but shall provide for the water company in the new bridge a main of equal diameter to that which now exists upon the old bridge and shall properly connect the same at either end with the existing pipes of the water company to the reasonable satisfaction and under the supervision of the engineer of the water company:

The Council shall not take or interfere with the land lying between the water company's aqueduct and the East India Dock Road on the one side and Barking Road on the other without previously providing for the water company the same accommodation and access to their land and property and for their lines of pipe leading from their aqueduct into the said roads respectively as they now have or some other accommodation and access equally convenient as may be first approved by the engineer of the water company:

(2) The water company shall at all times have the same rights of laying their mains pipes and apparatus in and upon any of the approaches piers and abutments respectively of the Barking Road Bridge and of the said new Isle of Dogs Bridges as they now have in and upon the approaches piers and abutments respectively of the existing bridges for which such new bridges are substituted and nothing in this Act contained shall limit or affect such rights.

A.D. 1891.

For the
protection of
the Gas
Light and
Coke
Company.

43.—(1) In and for the purpose of this section the expression “the signed plan” means the plan signed by Stephen Williamson the chairman of the committee of the House of Commons to whom the Bill for this Act was referred of which plan a copy has been deposited in the Private Bill Office at the House of Commons. No part of the lands of the Gas Light and Coke Company in the parishes of Saint Leonard Bromley and West Ham or either of them situate to the northward of the lines marked “parapet wall” on the signed plan shall be purchased taken or used by the Council or the corporation of West Ham under any of the powers of this Act otherwise than by agreement between the Gas Light and Coke Company and the Council or the corporation (as the case may be). Provided that the Council or the said corporation (as the case may be) shall have such temporary right of access to the lands of the said company immediately to the northward of the line of parapet wall shown on the signed plan as shall be reasonably necessary for the purpose of the construction of the said parapet wall or other walls of the said approaches upon such terms as shall be arranged between the engineers of the said company and the Council or the said corporation (as the case may be) or as in case of difference between such engineers shall be determined by a referee in accordance with the provisions of the section of this Act the marginal note whereof is “Alteration of position of water gas and other pipes.”

(2) The Council if required by the said company shall widen the street or lane bounding the said company's lands and premises and numbered on the deposited plans 40 in the parish of Saint Leonard Bromley in such manner that the eastern edge of such street or lane shall form as nearly as may be a straight line up to the East India Dock Road from a point distant thirty yards or thereabouts from the said road and shall take so much of the said company's land coloured blue on the signed plan as shall be necessary for that purpose.

(3) The Council shall provide through and under the retaining wall of the western approach to the new bridge and under the said approach for the said company's mains now laid or hereafter to be laid in the said company's bridge across the River Lee such convenient means of access from the company's land to the East India Dock Road as may be agreed upon between the engineers of the said company and the Council or in case of difference determined in manner aforesaid.

(4) The position of the said company's existing mains passing under Lea Place shall where necessary be altered by the company

at the expense of the Council so as to occupy or utilise the access to be provided as aforesaid. A.D. 1891.

(5) Nothing in this Act shall alter or affect the said company's existing powers or rights with respect to the East India Dock and Barking Roads respectively as such roads now are or will be after the alterations authorised by this Act are carried out.

(6) Any raising sinking or alteration of the said company's mains or pipes authorised by this Act to be done by the Council or the said corporation (as the case may be) shall instead of being done by the Council or the said corporation be (if the company so require) done by the company at the expense of the Council or corporation (as the case may be).

If the company elect themselves to alter any such mains or pipes and do not complete the alterations within a reasonable time (to be fixed in case of disagreement in manner aforesaid by a referee appointed as aforesaid) then the Council or the corporation (as the case may be) shall be at liberty to complete the alterations.

(7.) If the Council acquire the site of Millbank Prison and in any way build over or interfere with the access to the thirty-inch main connecting the said company's Vincent Street and Page Street stations the company may at the expense of the Council alter the position of such main so as to connect the said station by a main laid under such convenient highways as the company may select.

Any difference arising under this sub-section shall be settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers who shall have power to award costs.

44. Notwithstanding any of the provisions contained in this Act or in the agreement set forth in the Second Schedule to this Act the Council shall not nor shall the Corporation without the previous consent in writing of the Great Eastern Railway Company under their common seal take use or enter upon either permanently or temporarily (except as hereinafter provided) any of the lands shown on the deposited plans and described in the deposited book of reference in the respective parishes of Saint Leonard Bromley in the county of London or West Ham in the county of Essex belonging to or in the occupation of the Great Eastern Railway Company but the said company shall allow to the Council such reasonable temporary access to the said company's lands numbered on the deposited plans 5 and 6 in the said parish of Saint Leonard Bromley as may be necessary for the purpose of executing the works authorised by this Act but the Council shall not obstruct impede or interfere with the free uninterrupted and safe use of the

For the
protection of
the Great
Eastern
Railway
Company.

A.D. 1891. ———
railways sidings and works of the Great Eastern Railway Company or with the traffic thereon and if any such obstruction or interference shall be caused or take place the Council shall make compensation therefor to the said company in addition to any other remedy which the said company may have.

Nothing in this Act contained or in the said agreement shall prejudice the rights of the said company to compensation from the Council or the corporation (as the case may be) for any damage or injury occasioned to them or to their lands or railways by reason or in consequence of the construction of the works or the exercise of the powers authorised by this Act.

For the
protection of
the Lee
Conservancy
Board.

45. For the protection of the Lee Conservancy Board (hereinafter called "the Lee Board") the following provisions shall have effect:—

All works whether of a permanent or temporary character constructed under the powers of this Act over the Bow Creek shall be constructed and maintained to the reasonable satisfaction and approval of the Lee Board:

Any temporary works in or over the Bow Creek shall until removed be lighted by the Council between sunset and sunrise in such manner as the Lee Board may from time to time require and such temporary works shall at all times leave for the free and uninterrupted passage of boats barges and other vessels through the bridge an open and uninterrupted navigable water-way of the width of forty feet at the least. The new bridge constructed over the said creek shall have an arch not less than one hundred and fifty feet span in the clear measured from the face of each abutment and a clear headway of eighteen feet above Trinity high water at the centre of the span:

Provided that with the consent in writing of the Lee Board the Council may make such modifications as they may think fit in the width of the temporary opening and in the span and headway of the permanent bridge as prescribed by this section:

Plans showing the position of the temporary opening and of the abutments for the permanent bridge shall be submitted to the Lee Board for their approval before the works are commenced. If within twenty-one days after the delivery of these plans to the Lee Board that board fail to signify their disapproval of the same the Council shall be at liberty to proceed with the work in accordance with such plans:

If within the said period the Lee Board signify their disapproval of the said plans they shall state the particulars of such modifications as they require and unless the plans are settled by agreement

between the Lee Board and the Council the matter in difference may at any time on the application of either party be referred to an arbitrator to be appointed for that purpose by the President for the time being of the Institute of Civil Engineers and the decision of the arbitrator shall be final and conclusive and the costs of and incidental to the arbitration shall be paid as the arbitrator shall direct and the Council may proceed with the works in accordance with the plans as settled by the arbitrator. A.D. 1891.

46. It shall be lawful for the Council and the vestry of the parish of Saint Peter and Saint Paul Hammersmith to enter into and carry into effect any agreement as to the execution of the improvement described in this Act as "Widening of Fulham Palace Road and Queen Street Hammersmith" either by the Council or by the said vestry. Agreements with vestry of Hammersmith.

47. The powers of the Council for the compulsory purchase of lands and property required for the purpose of so much of the street improvement from Gray's Inn Road to Saint John's Street Road authorised by the Metropolitan Board of Works (Various Powers) Act 1885 the Metropolitan Board of Works (Various Powers) Act 1888 and the Metropolitan Improvements Act 1889 as extends from Farringdon Road to Saint John's Street Road are hereby extended to the sixth day of August 1892 and the period limited in the said Act of 1885 as extended by the said Act of 1888 for the completion of the said improvement is hereby further extended to the sixth day of August 1892. Extending power for compulsory purchase and completion of works.

48. Part II. of the Railways Clauses Act 1863 relating to extension of time shall be deemed to be incorporated with this Act and for the purposes of this Act the expressions "railway" and "railway and works" shall mean the street improvement authorised by the Metropolitan Board of Works (Various Powers) Act 1885 and the expression "the Company" shall mean the Council. Applying provisions of Railways Clauses Act 1863 as to extension of time.

49. 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 Her Majesty Her heirs or successors 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 Saving the rights of the Duchy of Cornwall.

A.D. 1891. — 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 Her Majesty Her heirs or successors in right of the Duchy of Cornwall or in or by the Duke of Cornwall for the time being.

PART II.

OPEN SPACES PARKS ETC.

Exchange
of land at
Plumstead
Common.

50. The piece of ground coloured blue on that sheet of the deposited plans which is headed "Plumstead Common" and which is situate on the northern side of Plumstead Common and adjoining Old Mill Road shall be by virtue of this Act severed from the said common and thrown into and form the site of the said Old Mill Road or the continuation thereof as shown on the said plan.

The two pieces of ground on the northern side of the said common adjoining the last-mentioned piece of ground and coloured pink on the said plan shall for all the estate and interest therein of the Provost and Fellows of Queen's College Oxford be added to and become part of Plumstead Common and the northern boundary of the said common between the said common and Old Mill Road or the continuation thereof shall be in the line marked as "intended fence" on the said plan.

Addition to
Peckham
Rye
Common.

51. The Council may purchase and acquire by agreement and hold the lands in the parish of Camberwell adjoining Peckham Rye Common as shown on the deposited plans and thereon edged pink Provided that such contributions are made by the Charity Commissioners the vestry of Camberwell and so far as may be necessary by other vestries or persons towards the money required for the purchase and acquisition of the said lands that the sum required to be provided by the Council to complete the purchase shall not exceed eighteen thousand pounds.

The Council may purchase the said lands subject to any existing leases of the same or any part thereof and shall be entitled to receive the rents derivable under such leases during the continuance thereof.

[54 & 55 VICT.] *London Council (General Powers)* [Ch. ccvi.]
Act, 1891.

The Council may immediately after the completion of the purchase grant to the owners of that part of the said land which is coloured blue on a plan signed by Stephen Williamson the chairman of the committee of the House of Commons to whom the Bill for this Act was referred of which plan a copy has been deposited in the Private Bill Office of the House of Commons and which comprises 13 acres and 14 poles or thereabouts a lease thereof for the lives of themselves and the survivor at a rent of four hundred and fifty-eight pounds per annum which lease shall contain provisions that it shall be determinable at the option of the lessees or the survivor at the expiration of the seventh or any subsequent year after the granting thereof on the lessees or the survivor giving six months previous notice to the Council. The lease may contain such covenants and conditions on the part of the lessees as shall be agreed between the Council and the lessees or lessee.

A.D. 1891.

As from the time when the Council obtain possession of the said lands respectively they shall hold the same and every part thereof as a public park garden open space or recreation ground as they may think fit and they may lay out maintain and manage the same in trust for the perpetual use thereof by the public for exercise and recreation and may erect any enclosures or buildings thereon as may in their opinion be expedient with a view to the public enjoyment thereof and may also exercise with respect thereto any of the powers of the Metropolitan Open Spaces Act 1877 and the Acts amending the same as if the said lands were an open space or pleasure ground within the meaning of those Acts.

Any such purchase shall be evidenced by a duly stamped deed of conveyance which shall within three months from the date of the completion of the purchase be produced to the Commissioners of Inland Revenue and in default of production the ad valorem stamp duty together with interest at the rate of five pounds per centum per annum from the date of purchase to the date of payment shall be recoverable from the Council with full costs of suit and all costs and charges attending the same.

52. Notwithstanding anything in the Mortmain and Charitable Uses Act 1888 or any other Act to the contrary the piece of land in the parish of Charlton described in the Fifth Schedule to this Act shall as from the passing of this Act vest and remain vested in the Council for all the estate and interest therein of Sir Spencer Maryon Maryon-Wilson Baronet and the Council shall hold the same and every part thereof in trust for the perpetual use thereof by the public for exercise and recreation and may exercise with respect thereto any of the powers of the Metropolitan Open Spaces Act 1877

As to land at
Charlton.

[Ch. ccvi.] *London Council (General Powers)* [54 & 55 VICT.]
Act, 1891.

A.D. 1891. and the Acts amending the same as if the said piece of land were
an open space or pleasure ground within the meaning of those Acts.

Provisions as
to Bostall
Woods.

53.—(1) It shall be lawful for the Council to enter into and carry into effect any agreement for the purchase of a piece of land known as Bostall Woods adjoining Bostall Heath in the parish of Plumstead.

(2) As from the time when the Council obtain possession of the said piece of land they shall hold the same and every part thereof and maintain and manage the same for the perpetual use thereof by the public for exercise and recreation and they may erect any enclosures or buildings thereon as may in their opinion be expedient with a view to the public enjoyment thereof and may also exercise with respect thereto any of the powers of the Metropolitan Open Spaces Act 1877 and the Acts amending the same as if the said lands were an open space or pleasure ground within the meaning of those Acts.

Any such purchase shall be evidenced by a duly stamped deed of conveyance which shall within three months from the date of the completion of the purchase be produced to the Commissioners of Inland Revenue and in default of production the ad valorem stamp duty together with interest at the rate of five pounds per centum per annum from the date of purchase to the date of payment shall be recoverable from the Council with full costs of suit and all costs and charges attending the same.

Confirming
conveyance
of Brockwell
Park.

54.—(1) The sale of Brockwell Park and the conveyance thereof to the Council shall not be invalidated or affected by reason of the 47th section of the Bankruptcy Act 1883 in the event of the bankruptcy of Joshua John Blades Blackburn within ten years after the twenty-second day of December one thousand eight hundred and eighty-eight.

(2) No part of the capital of the sum of one hundred and seventeen thousand pounds now standing in court to the credit of an account entitled “re Blackburn’s settlement Briggs v. Blackburn “ 1891 B. 1269 Proceeds of sale of Brockwell Park subject to “ indemnity to the London County Council ” (being the consideration money paid by the Council for Brockwell Park) or of the investments from time to time representing the same shall be paid or transferred out of court or be otherwise disposed of before the twenty-second day of December one thousand eight hundred and ninety-eight or the earlier death of the said Joshua John Blades Blackburn without having become bankrupt.

(3) Nothing in this section shall affect the operation of the said section 47 of the Bankruptcy Act 1883 upon the said consideration money or the investments representing the same at the date of any bankruptcy of the said Joshua John Blades Blackburn. A.D. 1891.

55. Section 8 of the Raleigh Park (Brixton) Act 1888 is hereby repealed. Repealing section 8 of Raleigh Park (Brixton) Act 1888.

56. It shall be lawful for the local board of East Ham in the county of Essex to contribute a sum of five hundred pounds towards the purchase of North Woolwich Gardens and to raise the said sum by borrowing on the security of their district fund and general district rate under and in accordance with the provisions of the Public Health Act 1875. Contributions by East Ham Local Board towards purchase of North Woolwich Gardens.

57. Any of the lands referred to in this Part of this Act which may be acquired by the Council shall be deemed to be included among the parks gardens and open spaces to which the provisions of the London Council (General Powers) Act 1890 with respect to byelaws (parks and open spaces) are applicable. As to byelaws.

PART III.

CONTRIBUTIONS.

58. The district boards of works for the districts and the vestries of the parishes hereinafter 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 works and purchases hereinafter 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 hereinafter stated with reference thereto and the said boards and vestries 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 district board or vestry may mortgage and assign all the moneys or rates authorised to be raised by the district board or vestry under the Metropolis Management Act 1855 and all the provisions of sections 183 to 191 inclusive of the last-mentioned Act shall apply Contributions by local authorities.

A.D. 1891. to any borrowing by any district board or vestry under this section of this Act.

The contributions required by this section are—

- (1) To the Isle of Dogs Bridges hereinbefore described—By the Poplar District Board of Works ten thousand pounds towards the costs and expenses thereof;
- (2) To the new street from Evelyn Street to Creek Road Deptford—By the Greenwich District Board of Works one-fourth of the costs and expenses thereof;
- (3) To the widening of Saint George's Place Knightsbridge—By the vestry of the parish of Saint George Hanover Square one-fourth of the costs and expenses thereof;
- (4) To the widening of Fulham Palace Road and Queen's Street Hammersmith—By the vestry of the parish of Saint Peter and Saint Paul Hammersmith one-half of the costs and expenses thereof;
- (5) To the widening of Fortess Road Kentish Town—By the vestry of the parish of Saint Pancras one-fourth of the costs and expenses thereof;
- (6) To the purchase of Bostall Woods—By the Plumstead District Board of Works a sum towards the costs and expenses thereof not exceeding eight thousand pounds;
- (7) To the acquisition of land adjoining Peckam Rye Common—
By the vestry of the parish of Camberwell twenty thousand pounds;
By the vestry of the parish of Lambeth five hundred pounds;
By the vestry of the parish of Saint George the Martyr Southwark two hundred and fifty pounds;
By the vestry of the parish of Saint Mary Newington two hundred and fifty pounds;
towards the costs and expenses thereof.

Credit to be given to vestries and district boards for sale of lands &c.

59. Where under the provisions of the last preceding section any district board or vestry is required to contribute any specified proportion of the costs and expenses of any work such district board or vestry shall have credit for the same proportion of 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 works to which they are respectively required to contribute whether such sums arise from the sale of materials or the sale or letting of lands or any other sums which respectively recoup the Council part of the expenses incurred by them in carrying this Act into execution with respect to the said works respectively and the Council shall from

time to time keep proper separate accounts in relation to the costs and expenses of each of the said works and furnish copies thereof to the district board or vestry required under the provisions of this Act to contribute thereto. A.D. 1891.

PART IV.

SUPERANNUATION ETC.

60. The Council shall have and from the twenty-first day of March one thousand eight hundred and eighty-nine shall be deemed to have had power to grant to any person who shall have been in their employment and formerly in the employment of the Metropolitan Board of Works (in cases where they are doubtful whether such person was an officer in an established capacity within the meaning of the Superannuation Act 1866 or entitled to any superannuation or other allowance under any of the Superannuation Acts) such annual allowance and subject to such provisions as they might have granted to such person if he had been serving in an established capacity as such officer as aforesaid or they may give a gratuity to any such person or the representatives of any such person This enactment shall be deemed to extend to and include any such person who shall have left the employment of the Metropolitan Board of Works during the year ending on the twenty-first day of March one thousand eight hundred and eighty-nine and shall not have had any superannuation allowance or gratuity granted to him by the said board. Special allowances.

Nothing in this enactment shall be construed as binding the Council to grant any such allowance or gratuity.

61. A grant of an allowance or gratuity under the last preceding section of this Act shall be charged on and paid out of the fund or funds on which the salary wages or emoluments of the person to whom the same is granted would have been charged or paid if he had continued in his office service or employment. How special allowance shall be charged.

62.—(1) It shall be lawful for the Council to establish in manner hereinafter provided a superannuation and provident fund for the provision of payments or other allowances on death superannuation resignation retirement or discharge to persons who have been taken into the employment of the Council since the twenty-first day of March one thousand eight hundred and eighty-nine : Superannuation and provident fund.

A.D. 1891.

Provided that the Council if they so resolve may so frame the scheme or schemes hereinafter mentioned as to authorise the admission to the benefits thereof of the officers and men of the Metropolitan Fire Brigade and their wives and families and persons employed by any committee of the Council and persons employed jointly by the Council and any other authority or person and persons who having been transferred to the service of the Council under the Local Government Act 1888 are not entitled to superannuation allowances under the Superannuation Act 1866.

(2) The Council may prepare and approve by resolution a scheme or schemes for the establishment of such fund and may determine in and by any such scheme the following matters and things or any of them (that is to say) :—

What classes of persons shall be entitled to contribute to and participate in the benefit of the fund and to what extent such contribution shall be payable by persons entering or who shall have entered the service of the Council after the twenty-first day of March one thousand eight hundred and eighty-nine ;

The division of the persons contributing to and to be benefited by the fund into two or more classes according to the amount of salary or according to such other conditions as the Council shall determine power being reserved by the scheme to remove any contributor from the one class to the other Provided that no such removal shall place the contributor or his representatives in a worse position than he would have occupied if the removal had not been made ;

What (if anything) shall disqualify any person in the employ of the Council from becoming a contributor to the fund and participating in the benefits thereof ;

Under what circumstances any person having been a contributor to the fund shall cease to continue a contributor and to be entitled to participate in the benefits thereof ;

What proportion (if any) of his own contributions to the fund any person having been but voluntarily ceasing to be a contributor thereto shall be entitled to receive ;

What proportion (if any) of the additions made by the Council to the fund in respect of the contributions of any member shall be payable to the representatives of such member in the event of his dying before he becomes entitled to any benefit under the scheme on superannuation resignation or retirement ;

The percentage or proportion of their salaries or wages which shall be payable to the fund by the contributors ;

A.D. 1891.

The age at which or other circumstances in which a person shall become entitled to benefit under any scheme ;

The payment to a person entitled to benefit under any scheme either by way of a gross sum or by way of an annuity instead of such gross sum calculated at such rate of interest as may be defined by the scheme ;

The rate at which interest whether simple or compound shall be calculated in respect of the moneys contributed to the fund by the contributors and by the Council respectively ;

The future management and direction of the fund and the number of and mode of appointment of the committee for administering and managing the same and the powers to be conferred upon the committee with respect to such administration and management and whether any and if so what persons other than members of the Council should form part of or be associated with the said committee for the purposes of the administration and management of the fund ;

The securities upon which the moneys received on account of the fund shall from time to time be invested ;

And generally all such other matters and things in relation to the fund as the committee appointed by this Act shall deem fit and proper to form part of and to be included in such scheme.

63. The accounts of the Council under this Part of this Act shall be audited in the same manner as other accounts of the Council. Audit.

64. Any scheme under this Part of this Act shall contain the following provisions :— Forfeiture of rights under scheme in certain cases.

Any contributing member leaving the service of the Council in consequence of reductions or alterations in the establishment or from his services being discontinued from any cause other than fraud or dishonesty or misconduct which involves pecuniary loss to the Council shall be entitled to receive back the whole amount of his own contributions with such interest as shall have accrued thereon under the scheme and shall have no further claim upon the fund ;

Any contributing member retiring from the service of the Council before superannuation bonâ fide of his own accord and not to escape dismissal for fraud or dishonesty or misconduct which involves pecuniary loss to the Council shall be entitled to receive back the whole amount of his own contributions to the fund with interest as aforesaid and shall have no further claim on the fund ;

The representatives of any contributing member who (not having been guilty of fraud or dishonesty or misconduct which involves

A.D. 1891.

pecuniary loss to the Council) shall die before he becomes entitled to any benefit under the scheme on resignation or retirement shall be entitled to receive back the whole contributions of such member with interest as aforesaid and shall have no further claim upon the fund ;

Any contributing member dismissed the service of the Council for fraud or dishonesty or misconduct which involves pecuniary loss to the Council shall at the discretion of the Council forfeit all or any part of his contributions and lose all benefits from the fund except such return (if any) as may at such discretion be made to him out of his own contributions.

Copies of scheme to be supplied.

65. The Council shall supply a copy of any scheme in force under this Part of this Act at a price not exceeding sixpence to any person in the employ of the Council interested in the fund or the representatives of any such officer or servant in case of death and shall supply gratuitously to every officer or servant or other person having an interest in the fund a copy of the last annual balance-sheet of the same for the time being.

Council to contribute to fund.

66.—(1) The Council shall at the end of each and every half year after the establishment of the superannuation fund contribute thereto a sum equal in amount to the sum which during the same half year has been contributed thereto by the persons in the employ of the Council :

(2) In the event of the moneys standing to the credit of the fund being at any time inadequate for the payment to contributing members of the sums to which they will be entitled under the provisions of the scheme the amount of any deficiency shall from time to time be made good by the Council :

(3) The Council may also pay any salaries costs and expenses of the management and administration of the fund and of and incidental to investments :

(4) All such sums shall be paid as payments for general county purposes within the meaning of the Local Government Act 1888 :

Provided that where the whole or any part of the salary or wages of any contributor to the fund is not payable as a payment for general county purposes the contributions to be made by the Council in respect of such contributing member and any deficiency or costs attendant thereon shall be defrayed out of the same fund or rate as the salary or wages of the contributing member.

Contracts with assurance society.

67. It shall be lawful for the Council from time to time to enter into and carry into effect any contract with any company carrying on the business of life assurance or provident fund for the undertaking by such company of the liabilities of the Council under

any scheme or schemes made under this Part of this Act or any of them. A.D. 1891.

68. It shall be lawful for the Council from time to time on the recommendation of the committee but subject to the provisions of this Act to alter any portion of any scheme. But no contributor nor the representatives of any contributor shall by reason of any such alteration be placed in any worse position than if the alteration had not been made. Alteration of scheme.

69.—(1) No person appointed or to be appointed to any employment since the twenty-first day of March one thousand eight hundred and eighty-nine who shall have agreed to accept the terms of the recited resolution of the Council of the second day of April one thousand eight hundred and eighty-nine shall be entitled to any superannuation or other allowance under any of the Superannuation Acts but except as aforesaid nothing in this Act shall in any way prejudice or affect any right or claim under any of the Superannuation Acts of any person who at the passing of this Act may be in the employment of the Council. Superannuation Acts not to apply to certain persons. Saving rights.

(2) Nothing in the Act shall enable the Council by any scheme to compel to contribute to the fund any persons hereafter appointed to any such employment for whom any provision can be made by way of superannuation pension or gratuity under the Fire Brigade Act 1865 the Lunacy Act 1890 or the Middlesex Industrial Schools Acts.

PART V.

MARKET INQUIRIES.

70. It shall be lawful for the Council from time to time to prosecute and conduct inquiries and negotiations relative to such existing markets and market rights as are not the property of or under the control of the mayor aldermen and commons of the City of London and the expediency of establishing new markets in or near the administrative county of London and any matters relative or incidental thereto and to pay out of the county fund the costs and expenses of such inquiries not exceeding one thousand pounds. Inquiries as to markets.

A.D. 1891.

PART VI.

COSTS.

As to costs
of inspector.

71. All costs incurred by the Local Government Board including such reasonable sum not exceeding three guineas a day as that Board may determine for the services of any inspector in relation to duties imposed on that Board under this Act shall be paid by the Council or the corporation of West Ham or the local board of East Ham according to whether such costs are incurred in reference to the Council or the said corporation or the said local board.

As to
payments
under this
Act.

72. 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 county purposes within the meaning of the Local Government Act 1888 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. A.D. 1891.

THE FIRST SCHEDULE.

Description of properties of which portions only are required to be taken by the Council and the corporation of West Ham.

Name of Improvement.	Parish.	No. on Deposited Plan.
Barking Road Bridge - -	Bromley - -	42.
	West Ham - -	5, 7, 8, 9, 17, 18.
Preston Road Bridge - -	Poplar - -	14.
St. George's Place, Knightsbridge -	St. George, Hanover Square.	20.
Fortess Road, Kentish Town -	St. Pancras - -	6, 23.

THE SECOND SCHEDULE.

AN AGREEMENT made the fourth day of December one thousand eight hundred and ninety between the London County Council (hereinafter called "the Council") of the one part and the mayor aldermen and burgesses of the borough of West Ham (hereinafter called "the Corporation" of the other part.

WHEREAS the bridge across Bow Creek connecting East India Dock Road in the county of London with Barking Road in the borough of West Ham is out of repair and the Council and Corporation are desirous that it should be removed and a new bridge constructed with new approaches :

And whereas a specification and plans of the new bridge to be constructed and of the approaches thereto have been agreed to and signed by Mr. Alexander Richardson Binnie the engineer of and acting upon the instructions of the Council and by Mr. Lewis Angell the engineer of and acting upon the instructions of the Corporation :

And whereas for the purpose of constructing the said new bridge and approaches it is necessary that parliamentary powers should be obtained :

Now these presents witness that it is hereby agreed by and between the said parties hereto as follows (that is to say) :—

1. Subject to the Bill to be promoted in Parliament by the Council as hereinafter mentioned being passed into an Act the Council shall remove the old bridge

[Ch. ccvi.] *London Council (General Powers) [54 & 55 VICT.]*
Act, 1891.

A.D. 1891. and shall to the reasonable satisfaction of the engineer for the Corporation or in case of dispute to the satisfaction of the President for the time being of the Institution of Civil Engineers or of some engineer to be nominated by him and in accordance with the provisions of the said intended Act and of the said specification and plans construct the new bridge and the approach on the London side thereof and the Corporation shall in accordance with the provisions of the said intended Act and of the said specification and plans construct the approach on the West Ham side thereof.

2. The limits of deviation to be proposed to be authorised by the said Bill shall be wide enough to enable the new bridge and approaches so to be constructed that the site of the new bridge shall include the site of the existing bridge of the East London Waterworks Company if the engineers of the Council the Corporation and the said Company respectively acting upon the instructions of the Council the Corporation and the said Company respectively agree that the site of the new bridge shall include the site of the said Company's bridge.

3. The Corporation shall bear one-half or 20,000 $\%$ (whichever shall be the less) of the cost of the removal of the old bridge and of the construction of the new bridge (including the cost of and incidental to acquisition of land) and the Council shall bear the residue of such cost the Corporation shall upon the completion of the bridge pay to the Council the share of such cost which is to be borne by the Corporation as aforesaid.

The cost of the approach on the London side shall be borne by the Council and the cost of the approach on the West Ham side shall be borne by the Corporation.

4. The Council shall in the next ensuing session of Parliament introduce and use their best endeavours to procure to be enacted a Bill for conferring upon the Council and the Corporation respectively the necessary powers for the construction of the said bridge and approaches.

5. The Corporation have notified to the Council particulars of the property for the acquisition of which they desire parliamentary powers to be obtained and the Council shall by the said Bill seek power for the Corporation to acquire the said property.

6. The Council shall except as hereinafter mentioned bear the cost of the promotion of the said Bill but if there be any opposition to the Bill in respect of the acquisition of any property which the Corporation desire to acquire for the purposes of the approach on the West Ham side the Corporation shall pay to the Council so much of the Council's costs as may be attributable to the said opposition (the amount in case of difference to be settled by Sir Theodore Martin or him failing by some person to be appointed by the taxing officer of the House of Lords).

7. The said Bill may be an omnibus Bill seeking powers other than those for the purposes of the said bridge and approaches and the Council may at any time withdraw the said Bill or deal with it in such manner as they may think fit provided that in so doing they shall not act capriciously or for the purpose of evading the terms of this agreement.

8. This agreement shall subject to the approval of Parliament and to such alterations as Parliament may think fit to make therein be scheduled to and confirmed by the said intended Act But in case the said Bill shall not be passed

into an Act during the ensuing session of Parliament this agreement shall be void and in case the provisions of this agreement as to contributing to the costs of promoting the said Bill shall not by the thirty-first day of January 1891 be assented to by a resolution of the Corporation published and approved by the Local Government Board and confirmed by the Corporation and be consented to by the owners and ratepayers of the borough in like manner as if such costs were the costs of a Bill promoted by the Corporation it shall be competent to either party by giving on or before the fourteenth day of February 1891 notice in writing to the other party to withdraw this agreement from the said Bill and thereupon this agreement shall be void and the Bill so far as it relates to the said bridge and approaches be dropped.

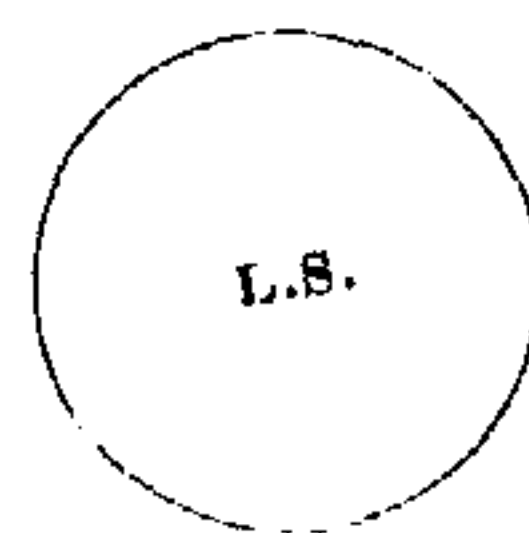
A.D. 1891.

In witness whereof the said parties have caused their respective common seals to be hereunto affixed the day and year first before written.

The corporate common seal of the mayor aldermen and burgesses of the borough of West Ham was hereto affixed in the presence of

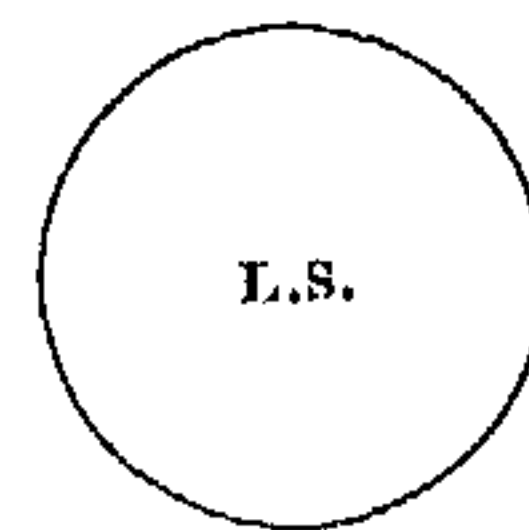
HENRY WORLAND,
Mayor.

FRED. E. HILLEARY,
Town Clerk.



Sealed by order

H. DE LA HOOKE,
Clerk of the London County Council.



THE THIRD SCHEDULE.

AN AGREEMENT entered into the twelfth day of March one thousand eight hundred and ninety-one between the London County Council (hereinafter called "the Council") of the first part the London and India Docks Joint Committee (hereinafter called "the Committee") of the second part and the East and West India Docks Company (hereinafter called "the Company") of the third part.

WHEREAS the following bridges and the approaches thereto situate in the Isle of Dogs in the County of London that is to say Preston Road Bridge Limehouse Entrance Bridge City Arms Bridge and West India Dock Entrance (north end of East Ferry Road) Bridge were constructed pursuant to an Act of Parliament obtained in 1799 but are inadequate to accommodate the present traffic and it is necessary that they should be widened and improved And whereas plans and sections for the reconstruction of the said bridges and the widening and improvement of the approaches thereto have been agreed to and signed by Mr. Alexander

[Ch. ccvi.] *London Council (General Powers)* [54 & 55 VICT.]
Act, 1891.

A.D. 1891. Richardson Binnie engineer acting for and on behalf of the Council and Mr. Robert Carr engineer acting for and on behalf of the Committee :

And whereas the Company are entitled to an estate of fee simple in possession free from incumbrances of the pieces of land which are required for the purpose of constructing the said bridges and improving and widening the approaches and are coloured purple on the said plans but an order has been made by the High Court of Justice Chancery Division appointing receivers and managers to manage the undertaking of the Company and the Company are unable to deal with the said land without the sanction of the said Court :

And whereas the pieces of land coloured yellow on the said plans and now forming parts of the public road may no longer be required for that purpose and it has been agreed that the same or so much thereof as may not be required for the new roads shall be vested in the Company as part of the consideration for the conveyance by the Company of the land coloured purple on the said plans :

Now these presents witness that subject to the sanction of the said Court being obtained to this agreement as hereinafter mentioned and subject to the Bill to be promoted in Parliament by the Council as hereinafter mentioned being passed into an Act and the necessary powers being thereby conferred It is hereby agreed by and between the said parties hereto as follows (that is to say) :—

1. The Council shall in accordance with the provisions of the said intended Act and of the said plans and sections widen and improve the said bridges and approaches.

2. The Company shall convey to the Council the fee simple in possession of the said pieces of land coloured purple at the price of 500*l*.

3. So soon as the new bridges and approaches shall have been completed and opened for public traffic the pieces of land coloured yellow on the said plans or so much thereof as may not be required for the new roads shall be vested in the Company and shall form part of the undertaking of the Company included in the London and St. Katharine and East and West India Docks Act 1888.

4. New bridges with hydraulic apparatus for opening and closing them and all other necessary appliances in connection therewith such apparatus to be fixed and connected with the Committee's existing hydraulic pipes shall be constructed by the Council in accordance with the said plans and sections and with further plans and sections as to details to be approved by and to the reasonable satisfaction of the Committee's engineer.

5. The plans of temporary bridges (if any) that may be put up during construction of the permanent works shall in default of agreement between the parties be settled by the arbitrator to be appointed as hereinafter provided.

6. All title right authority duties and obligations of the Committee or of the Company to over or in respect of the present bridges shall attach to the new bridges.

7. The Council shall at their own expense reconstruct all boundary walls and all roads and approaches to and from the dock entrances Such boundary walls when reconstructed shall be the property of the Company.

8. The Council are to build construct and set up such houses sheds buildings erections walls fences and machinery approaches steps entrance gates and other things in the place of those belonging to or used by the Committee or the Company which will be interfered with or removed in the course of carrying out the proposed works (and of which the materials are to be the property of the Committee and shall be removed by the Council to such place or places within

A.D. 1891.

the West India Docks and premises as the Committee shall require) in such places and manner as the Committee's engineer may reasonably require and according to plans to be approved by him and to his reasonable satisfaction and are in the meantime to set up and maintain such temporary buildings erections structures and appliances as the Committee's engineer may reasonably require and to provide to his reasonable satisfaction for the carrying on of the Committee's undertaking uninterrupted by the proposed works.

9. All the works shall be commenced and carried out within the time limited by the said intended or any subsequent Act.

10. The Company shall forthwith apply to the High Court of Justice for and use their best endeavours to secure the sanction of the Court to this agreement so far as it relates to the Company.

11. All proper expenses connected with the carrying of this agreement into effect by all the parties hereto shall be borne by the Council.

12. The Council shall in the next ensuing session of Parliament introduce and subject to the provisions of this agreement endeavour to procure to be enacted a Bill for conferring the necessary powers for the construction of the said bridges and approaches.

13. The said Bill may be an omnibus Bill seeking powers other than those for the purposes of the said bridges and approaches and the Council may at any time withdraw the said Bill or deal with it in such manner as they may think fit.

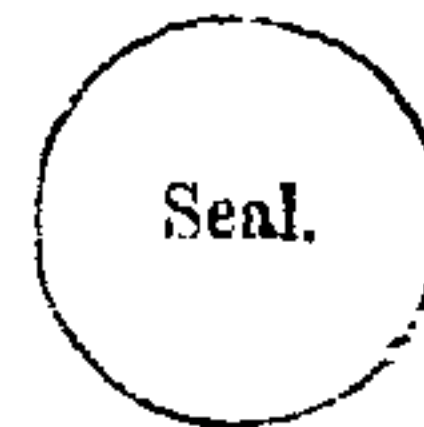
14. This agreement shall if Parliament think fit be scheduled to and confirmed by the said intended Act and in case the said Bill shall not be passed into an Act during the ensuing session of Parliament this agreement shall be void.

15. In case any difference shall arise between the Council and the Committee or the Company or between their respective engineers upon any point in connection with the carrying out of this agreement including the approval of plans and the reasonableness of any requirements of the Committee's engineer it shall be referred to the arbitration of an engineer to be appointed upon the application of either party by the Board of Trade.

In witness whereof the said parties have caused their respective common seals to be hereunto affixed the day and year first before written.

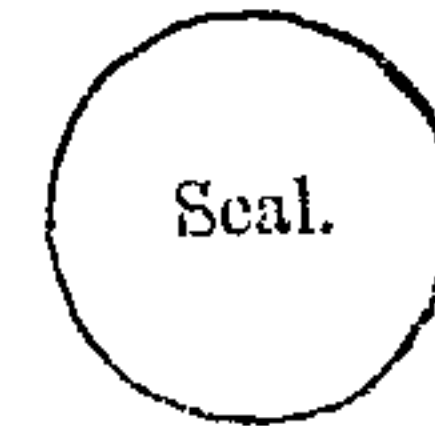
Sealed by order,

H. DE LA HOOKE,
Clerk of the London County Council.



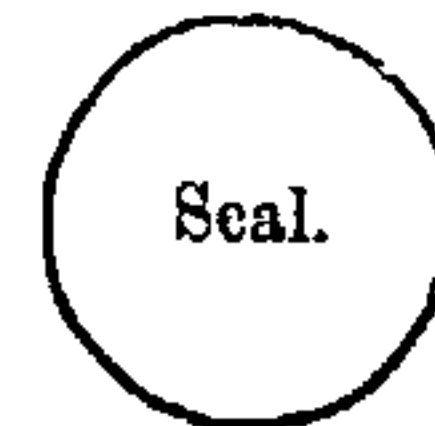
Sealed by order of the London and India Docks Joint
Committee,

HENRY J. MORGAN,
Secretary.



The common seal of the East and West India Dock
Company was affixed hereto in the presence of

A. CAMPION,
for Secretary.



A.D. 1891.

THE FOURTH SCHEDULE.

(Section 63 of the Act of 39 Geo. III. cap. LXIX.)

Power to the directors to make and maintain draw and swivel bridges.

And whereas it may be necessary and expedient for the convenience and accommodation of the public to make and build draw bridges or swivel bridges over some of the cuts to be made by the said directors by virtue of this Act for carriages horses and passengers and to level raise or lower roads grounds or avenues leading thereto be it therefore further enacted that it shall be lawful for the said directors and they are hereby directed and required on making the said cuts to make and build such good and substantial draw bridges and swivel bridges for carriages and passengers over the said intended cuts or any of them and at such places as they shall deem necessary and for ever to keep the same in good and substantial repair and to raise level or sink the highways adjoining to the said bridges and to fence the same with rails posts or banks where necessary or required by the surveyors of the highways. And the said Company and their successors shall be liable to be indicted for not making and keeping at all times in substantial repair the said draw bridges and swivel bridges so to be made and maintained and shall be further liable to pay the costs of every such prosecution upon convictions in case it shall be proved upon oath that the surveyors of the highways shall have made a requisition in writing for such repairs thirty days previous to the commencement of such prosecution.

(Section 54 of the Act of 1 and 2 William IV. cap. LII.)

Power to the directors to make and maintain draw and swivel bridges.

And whereas it may be necessary and expedient for the convenience and accommodation of the public to make and build draw bridges or swivel bridges over some of the cuts made or to be made by the said Company by virtue of the said recited Acts or this Act for carriages horses and passengers and to level raise or lower roads grounds or avenues leading thereto be it therefore further enacted that it shall be lawful for the said Company and they are hereby directed and required to make and build such good and substantial draw bridges and swivel bridges for carriages and passengers over the said cuts or any of them and at such places as they shall deem necessary and for ever keep the same in good and substantial repair and to raise level or sink the highways adjoining to the said bridges and to fence the same with rails posts or banks where necessary or required by the surveyors of the highways and the said Company and their successors shall be liable to be indicted for not making and keeping at all times in substantial repair the said draw bridges and swivel bridges so to be made and maintained and shall be further liable to pay the costs of every such prosecution upon conviction in case it shall be proved upon oath that the surveyors of the highways shall have made a requisition in writing for such repairs thirty days previous to the commencement of such prosecution.

[54 & 55 VICT.] *London Council (General Powers)* [Ch. ccvi.]
Act, 1891.

THE FIFTH SCHEDULE.

A.D. 1891.

DESCRIPTION OF LAND PRESENTED BY SIR SPENCER MARYON MARYON²
WILSON BARONET REFERRED TO IN THIS ACT.

A piece or parcel of land situated in the parish of Charlton in the county of Kent and containing 11 acres or thereabouts and bounded on the north in part by the South-eastern Railway and land of or reputed to belong to Sir Spencer Maryon Maryon-Wilson adjoining thereto and in the other part by land in the rear of houses in Charlotte Street Lower Road on the south by land in the rear of houses in Upper Woodland Terrace on the east by Mount Street and on the west by other hereditaments belonging or reputed to belong to Sir Spencer Maryon Maryon-Wilson forming part of the land known as Hanging Wood.

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