



CHAPTER CCXXXV.

An Act for enabling the Metropolitan Board of Works to make certain New Streets and Street Improvements within the Metropolis. A.D. 1877.
[14th August 1877.]

WHEREAS it is expedient that the Metropolitan Board of Works should be authorised to make the new streets and street improvements and other works after mentioned :

And whereas the Board have caused to be deposited with the respective clerks of the peace for the counties of Middlesex, Surrey, and Kent, and with the clerk of the peace for the city of Westminster, plans and sections describing the lines and levels of the new streets and street improvements, and the lands on the site of which the same will be made, or which may be taken for the purposes thereof, and books of reference containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers of those lands, and describing the same lands, and such plans, sections, and books of reference are herein referred to as the deposited plans, sections, and books of reference :

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

May it therefore please Your Majesty that it may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows ; (that is to say,)

1. This Act may be cited as "The Metropolitan Street Improvements Act, 1877." Short title.

2. "The Lands Clauses Consolidation Acts, 1845, 1860, and 1869," (except section 133 of the first-mentioned Act, and also such of the provisions of those Acts as are varied by or excepted from or inconsistent with this Act,) are incorporated with and form part of this Act. Certain provisions of general Acts herein named incorporated.

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Interpreta-
tion of terms.

3. 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 word "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;

The word "streets" includes streets, courts, alleys, highways, roadways, thoroughfares, or public passages or places;

The term "improvements" means the new streets and street improvements and works connected therewith respectively by this Act authorised;

The expression "the Board" means the Metropolitan Board of Works;

The word "lessee" shall include any person holding a sub-lease: And the several words and expressions to which by the Acts 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.

Power to
make new
streets and
street im-
provements.

4. Subject to the provisions of this Act, the Board may, upon the lands to be acquired by them under the powers of this Act and shown upon the deposited plans, make and carry into execution all or any of the new streets and street improvements following; (that is to say,)

WEST END NEW STREETS AND STREET IMPROVEMENTS.

A new street (No. 1) all in the parishes of St. James, Westminster, and St. Anne, Soho, in the county of Middlesex, commencing at Regent Circus, Piccadilly, in the parish of St. James, Westminster, on the north-eastern side of the said Circus, then crossing Tichborne Street and Great Windmill Street to Rupert Street, thence continued by the widening of Richmond Street and King Street on the south-eastern sides thereof, then by the formation of a short length of new street to and terminating at Grafton Street, near its intersection with West Street in the parish of St. Anne, Soho.

A new street (No. 2) in continuation of street (No. 1), all in the parishes of St. Anne, Soho, St. Giles-in-the-Fields, and St. George, Bloomsbury, commencing at the termination of street No. 1, in the parish of St. Anne, Soho, and extending thence by the widening of Dudley Street on its south-eastern side, thence along Broad Street, and thence by the formation of a new street across Bloomsbury Street, Vine Street, and Thorney Street, and terminating in New Oxford Street at or near its intersection with Duke Street in the parish of St. George, Bloomsbury.

A new street (No. 3) commencing at the eastern side of the said Regent Circus, Piccadilly, in the parish of St. James, Westminster, by the widening of Piccadilly on the north side, then by the widening of Coventry Street on the south side, and the widening of Princes Street on the west side, and terminating at Panton Street in the parish of St. Martin-in-the-Fields, and St. Anne, Soho, or one of them. The intended street will be situate in the several parishes of St. James, Westminster, St. Anne, Soho, and St. Martin-in-the-Fields, in the county of Middlesex.

The widening of Tichborne Street on its south-west side in the parish of St. James, Westminster.

The widening of Great Windmill Street on its west side from Angel Court to the intersection of Tichborne Street and Piccadilly, and also at or near its south-eastern corner and junction with Coventry Street, all in the parish of St. James, Westminster.

A new street (No. 6) commencing in Trafalgar Square at its south-east corner in the parish of St. Martin-in-the-Fields, to be formed partly by widening the roadway on the eastern side of the square, by widening St. Martin's Place, thence by a short length of new street commencing at Hemmings Row, and terminating at Castle Street, thence by widening Castle Street partly on the east and partly on the west side, thence by a new street from the north end of Castle Street, crossing Prince's Row, Lichfield Street, Grafton Street, and Moor Street to the south end of Crown Street, thence by widening Crown Street on the east and partly on the west sides, and terminating at Tottenham Court Road, at or near its junction with Oxford Street in the parishes of St. Anne, Soho, St. Giles-in-the-Fields, and St. Marylebone, or one of them. The intended street will pass through the parishes of St. Martin-in-the-Fields, St. Anne, Soho, St. Giles-in-the-Fields, and St. Marylebone, or some of them, in the county of Middlesex.

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GRAY'S INN ROAD IMPROVEMENT.

The widening of Gray's Inn Road on its east side, all in the parishes of St. Andrew, Holborn, and St. Pancras, or one of them, commencing in High Holborn in the parish of St. Andrew, Holborn, and terminating opposite Henry Street in the parishes of St. Andrew, Holborn, and St. Pancras, or one of them.

KENTISH TOWN ROAD IMPROVEMENT.

The widening of Kentish Town Road on the east side from a point about fifty yards to the south of Clarence Road to its junction with Monte Video Place.

The widening of Monte Video Place on the west side from Columpton Place to Alpha Place, and on the east side from Reed's Place to Rochester Road, and the Kentish Town Road on the east side from Rochester Road to Bartholomew Road, all in the parish of St. Pancras, in the county of Middlesex.

ISLINGTON IMPROVEMENT.

The widening of Goswell Road on the south-west side thereof from or near the house No. 353 in that road to the junction of Goswell Road with St. John Street Road. Also the widening of St. John Street Road from or near the house No. 196 in that road to the junction of that road with Goswell Road, all in the parishes of St. James, Clerkenwell, and St. Mary, Islington, or one of them, in the county of Middlesex.

HACKNEY IMPROVEMENT.

The widening of Mare Street, Hackney, on its west side from its junction with Amhurst Road East, otherwise Amhurst Road, to a point about 80 yards to the north opposite the churchyard, all in the parish of St. John, Hackney, in the county of Middlesex.

TOOLEY STREET IMPROVEMENT.

The widening of Tooley Street, partly on the south-west and partly on the north-east sides, from Bermondsey Street, in the parish of St. John, Horsleydown, to Queen Elizabeth's Grammar School, and in continuation the widening of Freeschool Street and Thornton Street on their south-west sides and Dockhead partly on its south and partly on its north side to a point opposite the Roman Catholic Convent, in the parish of Bermondsey. Also the widening of Hickman's Folly and Parker's Row at

and near the junction of those thoroughfares and London Street on its south side, from Hickman's Folly to a point about 70 yards to the east thereof, both in the parish of Bermondsey. The widening of Mill Street on the south-east side from Dockhead to a point about 70 yards to the north-east thereof, all in the parish of Bermondsey. The said improvement will be situate in the parishes of St. Olave, Southwark, St. John, Horsleydown, and Bermondsey, or some or one of them, in the county of Surrey. A.D. 1877.

SOUTHWARK BRIDGE ROAD AND GREAT DOVER STREET
COMMUNICATION.

A new street commencing in the Southwark Bridge Road, near its junction with Peter Street, in the parishes of St. Saviour and St. George-the-Martyr, Southwark, or one of them, and continued thence across Queen Street and Duke Street to Redcross Street, and further extended by the widening of Mint Street, partly on its north-east and partly on its south-west sides, and terminating in Blackman Street at its junction with Mint Street, in the parish of St. George-the-Martyr, Southwark, all in the parishes of St. Saviour and of St. George-the-Martyr, Southwark, in the county of Surrey.

JAMAICA ROAD AND UNION ROAD IMPROVEMENT.

The widening of Jamaica Road, on the north side, between New Church Street and Princes Road.

Also Princes Road at its junction with Jamaica Road.

The further widening of Jamaica Road on the south side from Major Road to Jamaica Level, and on its north side from Cherry Garden Street to a point about 20 yards to the west thereof.

The widening of Jamaica Level on its west side from Jamaica Road to a point about 40 yards to the south thereof.

All the above improvements will be situate in the parish of Bermondsey in the county of Surrey.

The widening of Union Road on its north side from Paradise Street to Deptford Lower Road, in the parish of Rotherhithe, in the county of Surrey.

CAMBERWELL AND PECKHAM IMPROVEMENT.

The widening of Camberwell Road on the east side from the house No. 285 in that road to Camberwell Green, all in the parish of St. Giles, Camberwell, in the county of Surrey.

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The widening of Church Street, Camberwell, on its north side, commencing at the south-east corner of Camberwell Green, and terminating forty yards or thereabouts to the west of Vicarage Road, all in the parish of St. Giles, Camberwell, in the county of Surrey.

The widening of certain parts of the Peckham Road and High Street and Queen's Road, Peckham, partly on the north and partly on the south side, from a point fifty yards or thereabouts west of Winchester Place to a point thirty yards or thereabouts west of Montpelier Road, all in the parish of St. Giles, Camberwell, in the county of Surrey.

DEPTFORD BRIDGE APPROACHES.

The widening of the approaches of Deptford Bridge partly on the north and partly on the south side, commencing from the Broadway, Deptford, in the parish of St. Paul, Deptford, in the county of Kent, and terminating in the Blackheath Road at its junction with the Greenwich Road in the parish of St. Alphage, Greenwich, in the said county.

The widening of the Greenwich Road on its south-east side, from the Blackheath Road, to Wellington Grove in the said parish of St. Alphage, Greenwich.

Improve-
ments to be
made accord-
ing to depo-
sited plans.

5. Subject to the provisions of this Act, the improvements shall be made only in or upon the lands delineated on the deposited plans and described in the deposited books of reference, and the Board may enter upon, take, use, and hold and acquire easements over such of the said lands as they may deem necessary for the purposes of the improvements, and for providing space for the erection of houses and buildings adjoining and near thereto; but nothing in this Act contained shall authorise or empower the Board to enter upon, take, or use or acquire easements over any lands shown upon the deposited plans lying between Tothill Street and Little Gray's Inn Lane on the one side, and the north-east side of Coldbath Square on the other side.

Board not
to interfere
with St.
Martin's
Church.

6. Provided always, that nothing in this Act contained shall authorise or empower the Board to enter upon, take, or use any part of the portico or steps of St. Martin's Church in the parish of St. Martin-in-the-Fields, notwithstanding the said portico and steps respectively, or some part thereof, have or has been numbered 109 upon the deposited plans referring to property in the said parish.

Purchase
and extin-
guishment
of easements.

7. The Board may purchase any easement which they may require to extinguish for the purposes of the improvements, and for

the purposes of every such purchase the term "lands" in the Lands Clauses Consolidation Acts shall be deemed to include easements. A.D. 1877.

8. The Board during the making of the improvements may in or upon the lands shown upon the deposited plans stop up, or cause to be stopped up, all or any part of the carriageways or footways of streets which they shall think necessary for the purposes of this Act to be stopped up, and for that purpose may put or cause to be put up sufficient palisades, bars, posts, and other erections, and may make from time to time such orders for regulating the passage of carts, carriages, and horses as to them shall seem proper. Power to stop up ways during the execution of the Act.

9. Subject to the provisions of this Act, the Board may alter the lines or levels of any of the streets and places described on the deposited plans, as intended to be diverted, raised, or lowered, in such manner as may be so described on such plans. Streets may be raised or lowered.

10. In making any of the works for or connected with the improvements, the Board may deviate to any extent not exceeding three feet from the levels thereof, defined on the deposited sections, and may, subject to the provisions of this Act, deviate from the lines thereof within the limits of deviation defined on the deposited plans, and beyond those limits with the consent of the owners, lessees, and occupiers of the lands through which any such deviation is to be made, but not otherwise. Power to deviate from levels, &c.

11. Subject to the provisions of this Act, and within the limits defined on the deposited plans, the Board in connexion with the improvements, and as part and for the purposes thereof, may make junctions and communications with any existing streets intersected or interfered with by or contiguous to the works, and may make diversions, widenings, or alterations of lines or levels of any existing streets for the purpose of connecting the same with the works, or of crossing under or over the same, or otherwise, and may remove, destroy, alter, divert, stop up, inclose, use, or appropriate all or any part of any street, square, place, court, alley, or passage, whether a thoroughfare or not, or of any thoroughfare, road, lane, or way, or of any stream, drain, sewer, watercourse, void ground, or other property shown on the deposited plans, the Board providing a proper substitute before interrupting the flow of sewage in any drain or sewer. Power to make subsidiary works.

12. If in the execution of the works by this Act authorised the Board desire to alter, remove, or otherwise interfere with any telegraph poles, tubes, wires, or telegraph apparatus belonging to For protection of Post Office telegraphs.

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A.D. 1877. Her Majesty's Postmaster General, the following provisions for the protection of Post Office telegraphs shall apply; (that is to say,)

Notice to
be given
before inter-
fering with
telegraphs.

Before the Board alter, remove, or interfere with any such telegraph poles, tubes, wires, or telegraph apparatus, the Board shall give to the Postmaster General one calendar month's previous notice in writing of such intended alteration, removal, or other interference, specifying all requisite and proper particulars relating thereto; and if the Postmaster General shall, before the expiration of one calendar month after the service upon him of the said notice from the Board, give the Board notice of his intention so to do, he may execute at the cost of the Board, and thereafter at his own expense maintain, the works specified in the Board's notice, and such other works, substituted wires, and conveniences as may be reasonably required for making good the telegraph poles, tubes, wires, or telegraph apparatus so required to be altered, removed, or interfered with, using all due despatch in the execution thereof. If at the expiration of one calendar month the Postmaster General shall not have commenced such works, then such alteration, removal, or interference may be carried out by the Board, but so as to cause no impediment or obstruction whatsoever to the due transmission of messages along such wires, or, at the option of the Postmaster General, along substituted wires to be provided by the Board at their own expense to the satisfaction in all respects of the Postmaster General:

Saving for
Telegraph
Act.

Nothing in this Act shall take away, abridge, or prejudicially affect any right, power, estate, or interest of the Postmaster General under or by virtue of the Telegraph Act, 1868.

Alteration
of position
of water,
gas, and
other pipes.

13. The Board may for any purpose in connexion with the improvements upon the lands acquired by them under the power of this Act, and also in any street within the limits of deviation defined upon 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 adjoining or near to the improvement, and also any main or other pipe laid down or used by any company for carrying a supply of water or gas, and also any pipe, tube, wire, or apparatus laid down for telegraphic or other purposes, and may remove any other obstruction, making in cases of alteration proper substituted works in the meantime, and causing as little detriment and inconvenience as circumstances admit to any company, person, or body, and making reasonable compensation to any company, person, or body who suffers damage by any such alteration: Provided always, that before the Board alter the position of

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any main or other pipe laid down or used by any such company or body they shall give to the company or body 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 twenty-four hours 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 Board) of the company or body to whom such pipe belongs, unless such company or body refuses or neglects to give such superintendence at the time specified in the notice for the commencement of the work, or discontinues the same during the work; and the Board shall execute such work to the reasonable satisfaction of the engineer of such company or body; provided also, that the Board shall not cause any street or road to be lowered or raised, or the position of any water or gas pipes to be altered so as to leave over such pipes in any part a covering of less than two feet (unless the Board 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 body) or more than six feet, unless a referee, to be appointed by the Board of Trade on the application of either party in case of dispute, shall consider that the pipes should be carried to a greater depth for the purpose of avoiding interference with the works to be executed under this Act, and in such case the pipe shall be altered in such manner, and such works shall be made at the expense of the Board, in such manner as the referee may prescribe, and the expense of the reference shall be in the discretion of the referee.

14. The Board may cause such part of the improvements to be laid out for carriageways and such part thereof for footways as they shall think proper, and may 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 improvement within the limits of deviation defined upon the deposited plans; and in laying out or forming such carriageways and footways and works, the Board may exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only, if any, as are imposed upon any vestry or district board when they stop up temporarily any thoroughfare or any part thereof in the repairing or repaving of any street within the metropolis.

The Board empowered to lay out carriageways, &c.

15. The Board shall, for the purposes of and in connexion with the improvements, in a substantial and workmanlike manner fill or cause to be filled in all and every the vaults, cellars, and open places over which it may be necessary to new pave (except such as

Directing how the pavement shall be laid and made.

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A.D. 1877. may be used as cellars, vaults, or areas) with good sound hard brick 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 shall 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 Board 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, and repaired as aforesaid, the same shall for ever thereafter be kept in repair by the vestry of the parish or board of works of the district in which the same is situate, or by any other parties or persons liable to repair the same, and the right and property in all such pavements and arches shall belong to and be the property of the vestry of the parish or board of works of the district or parties or persons, in the same manner as things of a like description in the parish or district are now vested by law.

Sewers or drains to be arched over or filled up.

16. The Board, within the limits of deviation defined upon the deposited plans, may cause to be arched over or filled up all such sewers or drains or parts thereof which shall lie and be in or near the streets to be interfered with under this Act as shall appear necessary for completing the purposes of this Act, so as that no public sewer or drain whatsoever (unless the same become unnecessary by reason of the purchase of the property entitled to the use thereof) shall be in anywise disturbed, injured, or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient: Provided always, that before filling up any sewer or drain or part thereof as aforesaid, the Board shall where necessary cause to be made and built other good and sufficient sewers and drains of the same or greater size or capacity, and upon the same or lower levels than 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.

17. The Board, within the limits of deviation defined upon the deposited plans, may raise, sink, or otherwise alter or cause to be altered the position of any of the steps, areas, cellars, windows, and watercourses, pipes, or spouts, belonging to any house or building, and also the mains and the leaden or other pipes which, for the purpose of conveying water or gas to any house or other place, shall

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be laid into or form any main or pipe laid down by any of the companies or societies who furnish the inhabitants with water or gas, and may remove all other obstructions, so as the same be done with as little delay and inconvenience to the said companies, societies, and inhabitants as the circumstances of the case will admit, and the Board shall make reasonable compensation to any corporation or person who suffers damage by any such alteration.

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18. When the improvements respectively shall be made, all the land which shall be laid open into the street and paved shall form part of the street, and shall be used by the public accordingly, and the same, and the sole power and authority of paving, repairing, cleansing, and lighting thereof shall, except where otherwise provided by this Act, be under the care, management, control, and jurisdiction of the vestry of the parish, or board of works of the district, in which the same is respectively situate.

Ground laid into the streets to form part thereof.

19. 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 books of reference, the Board 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 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 or city in which the lands affected thereby shall be situate, and such certificate shall be kept by such clerk of the peace along with the other documents to which they relate, and thereupon such plan or book of reference shall be deemed to be corrected according to such certificate, and the Board may take the lands in accordance with such certificate.

Errors and omissions in plans, &c. to be corrected by justice, who shall certify the same.

20. The Board may sell the materials of the houses and buildings which may be purchased or taken by them under the powers of this Act.

Power to sell materials.

21. The Board, and their surveyors, officers, and workmen, 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 into and upon the lands authorised to be taken and used as aforesaid, or any of them, for the purpose of surveying and valuing the said premises, without being deemed trespassers, and without being subject or liable to any

Power to the Board, their surveyors, &c. to enter upon houses, &c.

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Board of Trade to appoint umpire in case of arbitration.

22. Notwithstanding anything in the 28th section of the Lands Clauses Consolidation Act, 1845, contained to the contrary in carrying this Act into execution, the appointment of an umpire shall, in the cases referred to in the said section, be left to the Board of Trade.

Verdict of value and damages to be ascertained separately.

23. The jury or arbitrator to whom any question of compensation under this Act is referred shall award all determinations, judgments, and verdicts which they shall make and give concerning the value of lands, or any share, estate, or interest therein or charge thereon, separately and distinctly from the consideration of any other loss to which the occupier may personally be entitled, or any loss or damage to be sustained by any person in consequence of the execution of any of the powers of this Act, and shall distinguish the value set upon the lands or share, estate, or interest therein or charge thereon, and the money assessed or adjudged for such loss or damage as aforesaid separately and apart from each other; and when any money shall be assessed or adjudged for such loss or damage as aforesaid the jury or arbitrator shall, if required by the Board, award and declare whether the statement in writing of the amount of compensation claimed, delivered to the Board by the claimant, gave sufficient particulars to enable the Board to make a proper offer, and if the jury or arbitrator shall be of opinion that the said statement did not give such sufficient particulars, or if no such statement in writing shall have been delivered, one half of the costs of summoning, empannelling, and returning the jury, and of taking the inquiry and in recording the verdict and judgment therein, or as the case may be, one half of the costs of the arbitration shall be defrayed by the person with whom the Board shall have such controversy or dispute, and the remaining half shall be defrayed by the Board, 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 of Justice by order in chambers in a summary way to permit any claimant to alter and amend the statement in writing of the claim delivered by him to the Board, 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, and such amendment to be subject to such terms enabling the Board 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.

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24. And whereas by reason of the exercise of the powers by this Act granted there may be deficiencies in the assessments for land tax : Therefore the Board in case they shall become possessed by virtue of this Act of any premises charged with the land tax shall from time to time, until the works hereby authorised shall be completed and assessed to such land tax, be liable to make good the deficiency arising within the parish by reason of any lands having been taken or used for the purposes of this Act, and such deficiency shall be computed according to the rental at which such lands with any buildings thereon were valued or rated at the time of the passing of this Act, and the Board shall pay all deficiencies on demand thereof to the collector of the said assessments : nevertheless if at any time the Board think fit to redeem such land tax, they may do so in accordance with the powers in that behalf given by the Acts for the redemption of the land tax.

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Provisions
for defi-
ciencies in
land tax.

25. In case any lands, which shall be purchased under the provisions of this Act and cleared, shall not be laid into and form part of the improvement, the Board may, when and as they shall think fit so to do, demise and lease such lands or such parts thereof as the Board shall think it expedient to let on building leases, either altogether or in parcels, to any person or persons who shall erect and build or covenant and agree to erect and build thereon, or on any part thereof, houses, erections, and buildings of such rate or class of building and upon such plan and elevation and of such height and with such storeys as the Board shall think proper, for any term or number of years to determine at or before the expiration of ninety-nine years from and after the passing of this Act, so as there be reserved in every such demise or lease such yearly rent to be incident to the immediate reversion of the premises therein comprised as to the Board 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 Board shall reasonably advise or require, and also a clause in the nature of the condition of re-entry on nonpayment of the rent thereby to be reserved, or on 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 Board shall order and direct, and further that in any such lease the Board may, if they think fit, accept and take any fine for the granting

Power to
lease surplus
lands.

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As to sale
of ground
rents.

26. The Board shall 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 such agreement as aforesaid, in pursuance or in consideration of which the houses shall have been erected and built or shall be agreed to be erected and built, and also the reversion and inheritance in fee simple in possession (subject to such leases, demises, or agreements of the lands therein demised or agreed to be demised) of the houses, erections, and other buildings, except such as shall have been otherwise disposed of pursuant to this Act, either altogether or in parcels, by public auction or private contract, for such price or prices or sum or sums of money as the Board 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, and also subject to such stipulations as to the title to be produced to the hereditaments to be sold, as the Board shall think fit; and as regards any stipulations or provisions which may be contained in any such conveyance, the same may at all times thereafter be enforced by the Board for the benefit of the parties entitled to the other property adjoining or held under the same title in such manner in all respects as the Board shall think fit.

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

27. Subject to the provisions of this Act, the Board may, if they shall think it expedient so to do, sell and dispose of, in the manner herein-before directed, all or any lands which they may have purchased under the powers of this Act, and which shall not be laid out and form part of the improvement, without having previously granted or agreed to grant any lease thereof, and convey and assure the same unto the purchaser or respective purchasers thereof for any sum or sums of money, and upon, under, and subject to such terms and conditions, and with, under, and subject to such covenants

and agreements on the part of the person or persons purchasing or agreeing to purchase the same, with respect to the size or class of the houses, erections, and buildings to be erected thereon, and the height, size, and elevations thereof, and the time and manner of erecting the same, and with respect to any other matters, restrictions, and things relating thereto, as the Board shall think fit to impose.

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28. The Board may from time to time let, either from year to year or for a term, at rackrent, or exchange or otherwise dispose of, any building or lands, or any part thereof, acquired by them under this Act, and not required to be laid into and to form part of the improvements or any of them, and may execute and do any deed, act, or thing proper for effectuating any such lease, exchange, or other disposition.

Board may grant a lease, &c. of lands.

29. Subject to the provisions of this Act, the Board shall, within ten years after the completion of the improvement for the purposes of which the lands have been acquired, sell and dispose of to any person or persons, and grant and convey such parts of the said lands as they may have purchased under the authority of this Act, which shall not be wanted for the purposes of the improvements.

Board to sell, &c. lands not wanted.

30. The receipt of the Board for any purchase moneys, rents, or profits, or other money payable to the Board 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.

Receipts of Board to be effectual discharges.

31. The powers of the Board for the compulsory purchase or taking of the lands authorised to be taken by this Act for the purposes of the improvements shall not be exercised after the expiration of seven years, to be computed from the passing of this Act; and if any part of the improvements is not completed within ten years from the passing of this Act, then on the expiration of that period the powers of the Board under this Act for the execution thereof shall cease to be exercised.

Limitation of time for purchase of lands and construction of works.

32. The Board shall, not less than eight weeks before they take in any parish fifteen houses or more occupied either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, make known their intention to take the same by placards, handbills, or other general notice placed in public view upon or within a reasonable distance from such houses, and the Board shall not take any such houses until they have obtained the certificate

Notice to be given of taking houses of labouring classes.

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ments Act, 1877.

A.D. 1877. — of a justice that it has been proved to his satisfaction that they have so made known their intention.

As to
accommoda-
tion to be
provided for
labouring
classes.

33. And whereas the making of the street improvements in this Act referred to involves the removal of many houses referred to in the immediately preceding enactment, and it is expedient that provision be made for the accommodation of such of the labouring classes as will be displaced by such removal: Therefore the Board in carrying into effect the provisions of this Act shall, subject to the provisions of this Act, from time to time, for the purpose of providing such accommodation as aforesaid, acquire or appropriate so much of the lands coloured blue on a copy of the deposited plans signed by Viscount Hardinge, the Chairman of the Committee to whom this Act was as a Bill referred in the House of Lords, or such other lands as one of Her Majesty's Principal Secretaries of State shall from time to time deem sufficient; and the Board may for the purpose of procuring such accommodation appropriate any lands for the time being belonging to them, or which they have power to acquire, and not required for any other purpose, and may purchase by agreement such further lands as may be necessary for such purpose.

The Board shall, as soon as may be after the acquisition or appropriation of any such lands, sell or let the same upon building lease for the purpose of the erection or adaptation and continuance thereupon of suitable dwelling-houses or lodging-houses for persons of the labouring classes, and the Board shall have full power and authority to make and enter into such contracts and agreements as to them shall seem fit with respect to the sale or letting of such lands or any part of the same, and to the terms, conditions, and restrictions as to the elevation, size, and design of the dwelling-houses to be erected or adapted and continued thereupon, for the purposes aforesaid, and to the extent of the accommodation to be afforded thereby.

Provided always, that if any difference arise between the Board and any company, person, or persons desiring to purchase or lease such lands or any part of the same, and making an offer in writing to the Board for such purchase or leasing, as to the reasonableness of such offer, or of the terms, conditions, and restrictions therein contained, and subject to which such lands or such part of the same are to be sold or let, or with reference to the dwelling-houses to be erected or adapted and continued thereupon, for the purposes aforesaid, or the extent of the accommodation to be provided thereby, such difference shall from time to time be determined by one of Her Majesty's Principal Secretaries of State, or by such person as such

Secretary of State may appoint for such purpose, who shall, having regard to the provisions of this enactment and the accommodation thereby intended to be provided, decide as to the reasonableness of such offer, and as to whether the same shall be accepted by the Board or not, and as to whether the same shall be so accepted, subject to the terms, conditions, and restrictions therein contained, and such decision shall be binding as well upon such company, person, or persons as on the Board, and such Secretary of State or person may also decide as to the costs incident to such decision and the parties by whom the same shall be borne and paid in whole or in part, and such decision shall be final and conclusive on the parties affected thereby: Provided also, that if within three years after the acquisition or appropriation of any such lands, in the manner and for the purposes aforesaid, the Board shall have failed to sell or let such lands for the erection or adaptation and continuance thereupon of such dwelling-houses as aforesaid, one of Her Majesty's Principal Secretaries of State shall order the said lands to be sold or let by public auction or private tender, with full power to fix a reserve price, subject to the like terms, conditions, and restrictions as under the preceding provisions of this enactment may be imposed by the Board, or to such modifications (if any) of the same as in the opinion of such Secretary of State may be proper to give due effect to the purposes of this enactment, and to a special condition on the part of the purchaser or lessee that he will erect or adapt and continue upon such lands dwelling-houses for the labouring classes, in accordance with such plans as may be approved by such Secretary of State and the Board, and subject to such reservations and regulations as the said Secretary of State may deem necessary.

Provided always, that before the Board shall, without the consent of one of Her Majesty's Principal Secretaries of State, take for the purposes of this Act fifteen houses or more occupied at the time of the passing of this Act either wholly or partially by persons belonging to the labouring classes as tenants or lodgers, the Board shall prove to the satisfaction of such Secretary of State that sufficient accommodation in suitable dwellings has been provided elsewhere upon the before-mentioned lands coloured blue, or upon such other lands as may be approved by such Secretary of State, for the same number of persons, having regard to the numbers set forth in the schedule to this Act, and to the details relating thereto, proved before the said Committee and deposited at the Home Office: Provided further, that one of Her Majesty's Principal Secretaries of State may, if he think fit, after or even before the Board has acquired any of the said lands so coloured blue, release the Board from the obligations.

A.D. 1877. — imposed upon them by this enactment with respect to such lands or any part thereof, provided the Board substitute in lieu thereof other lands equally available for the purposes described in this enactment.

Saving
rights of
the Crown
and Com-
missioners
of Her
Majesty's
Works and
Public
Buildings.

34. Nothing contained in this Act shall authorise the taking, use, or interference with any land or hereditaments, or any rights of whatsoever description belonging to or vested in the Queen's most Excellent Majesty for public purposes, or which are vested in or are under the control or management of the Commissioners of Her Majesty's Works and Public Buildings, without the consent in writing of the same Commissioners first had and obtained, which consent such Commissioners are hereby authorised to give.

Saving
rights of the
Crown.

35. Nothing contained in this Act shall authorise the Board to take, use, or in any manner interfere with any land, soil, tenements, or hereditaments, or any rights of whatsoever nature belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of her Crown, and under the management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, without the previous consent in writing of the same Commissioners, or one of them, on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby respectively authorised to give); and as incidental to any such consent as aforesaid the Board may enter into any agreement with the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or either of them, who respectively may, with the approval of the Commissioners of Her Majesty's Treasury, join in every such agreement, and the said Commissioners of Her Majesty's Woods, Forests, and Land Revenues, with the like approval, and the Board may respectively execute all necessary conveyances, leases, licenses, or other deeds of or relating to any land, hereditaments, or rights belonging to Her Majesty in right of her Crown, and under the management of the same Commissioners, and every agreement so entered into as aforesaid shall be performed by the same Commissioners and the Board respectively; and nothing in this Act contained shall divest, take away, prejudice, diminish, or alter any estate, right, privilege, power, or authority now or from time to time vested in or enjoyed or exerciseable by the Queen's Majesty, her heirs or successors.

Power to
apply exist-
ing funds.

36. The Board may apply for the purposes of this Act any money raised or authorised to be raised by them under any other Act, and not required for the purposes of that other Act, and also any moneys which they may be authorised to raise for the purposes of this Act.

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ments Act, 1877.

37. The costs, charges, and other expenses preliminary to and of A.D. 1877.
and incidental to the preparing, applying for, obtaining, and passing Expenses
of this Act, or incurred by the Board with reference thereto, shall be of Act.
paid by the Board.

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SCHEDULE referred to in the foregoing Act.

NUMBER OF LABOURING CLASSES DISPLACED.

Name of Improvement.	Number of the Labouring Class living on Land proposed to be taken.
Western improvements, including Charing Cross to Tottenham Court Road, Piccadilly Circus to Oxford Street, Coventry Street to Princes Street - -	5,497
Gray's Inn Road - - - - -	1,725
Kentish Town - - - - -	265
Angel, Islington - - - - -	Nil.
Mare Street, Hackney - - - - -	Nil.
Tooley Street - - - - -	860
Bermondsey Street - - - - -	Abandoned.
Southwark Bridge Road - - - - -	1,622
Jamaica Road - - - - -	104
Camberwell and Peckham - - - - -	38
Deptford Bridge - - - - -	18
Total - - - - -	10,129

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