



CHAPTER ccxix.

An Act to enable the London County Council to construct and work tramways in the county of London to make street improvements and to acquire and use lands for the purposes of a station or stations for generating electric energy to empower the council of the metropolitan borough of Woolwich to widen and improve Well Hall Road and for other purposes.

A.D. 1903.

[11th August 1903.]

WHEREAS it is expedient that the London County Council (hereinafter referred to as "the Council") be empowered to construct and maintain the new tramways in this Act described :

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

And whereas it is expedient to confer on the Council powers to make the street improvements and works and to acquire the lands hereinafter described and to use the same for the purposes hereinafter specified :

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

And whereas it is expedient that the Council should be empowered to enter into agreements with any company whose works are carried over or under a public street by means of a bridge for the adaptation of such bridge (in connection with any reconstruction or alteration thereof) for the construction or

A.D. 1903. — reconstruction of tramways thereon or thereunder and the working of the same by animal mechanical or electric power :

And whereas it is expedient that the council of the metropolitan borough of Woolwich should be empowered to execute the street widenings and improvements of Well Hall Road hereinafter described and that provisions such as are hereinafter contained should be made with reference thereto :

And whereas an estimate has been prepared by the council of the said metropolitan borough as to the amount which they will require to expend on capital account in the exercise of the powers by this Act conferred upon them and such estimate amounts to the sum of twenty-seven thousand two hundred pounds :

And whereas the Council have caused to be deposited with the clerk of the peace for the county of London plans and sections describing the lines and levels of the tramways and works by this Act authorised and the lands which may be taken for the purposes thereof and also plans of the lands which may be taken for other purposes under the powers of this Act and also a book of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands and such plans sections and book of reference are respectively referred to in this Act as “the deposited plans sections and book of reference” :

And whereas it is expedient that provisions should be made with regard to contributions or expenditure by the council of the metropolitan borough of Hammersmith as in this Act specified towards the improvements by this Act authorised within the said borough and that other provisions relative thereto should be made as hereinafter set forth :

And whereas it is expedient to confer on the Council and upon the councils of the said metropolitan boroughs such powers as are hereinafter set forth with regard to the raising of money for the purposes of this Act :

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

council of the said metropolitan borough of Hammersmith) are as follows :— A.D. 1903.

	£
For the construction and equipment of new tramways and the purchase of lands and other purposes of the tramway undertaking -	227,000
For the street improvements and works connected therewith - - - - -	269,000
Total - - - - -	£ 496,000

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

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

1. This Act may be cited as the London County Council (Tramways and Improvements) Act 1903. Short title.

2. The following Acts and parts of Acts (that is to say) :— Incorporation of Acts.
 The Lands Clauses Acts ; and
 Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 ;

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

Provided that sections 127 and 133 of the Lands Clauses Consolidation Act 1845 shall not apply in the case of any lands purchased by the Council under the powers of this Act.

3. In this Act unless the subject or context otherwise require— Interpretation.

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

“The Council” means the London County Council ;

“The Woolwich Council” means the council of the metropolitan borough of Woolwich ;

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

“The improvements” means the street improvements by this Act authorised to be executed by the Council ;

A.D. 1903. "Street" has the meaning assigned to that term in the
Metropolis Management Acts 1855 to 1893:

Provided that for the purposes of this Act the expressions
"the promoters of the undertaking" and "the company" in the
Lands Clauses Acts shall with reference to lands to be acquired by
the Council be construed to mean the Council and with reference to
lands to be acquired by the Woolwich Council be construed to
mean the Woolwich Council.

Power to
make tram-
ways.

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

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

The said tramways will be situate in the county of London.

Tramway No. 3 (double line 2 miles 7 furlongs 4·85 chains
or thereabouts in length) commencing in Scrubbs Lane
at the county boundary at the junction of Scrubbs Lane
with Harrow Road and terminating in Queen Street at or
near the junction with that street of Bridge Road by a
junction with Tramway No. 5 authorised by the London
County Council (*Tramways and Improvements*) Act 1902:
Tramway No. 4 (double line 2 furlongs 3 chains or there-
abouts in length) commencing in Broadway (Hammer-
smith) by a junction with the said Tramway No. 3 at
a point about $1\frac{1}{2}$ chains measured in a north-easterly
direction from the corner of Queen Street and Bridge
Road and terminating in Bridge Road at a point $1\frac{1}{2}$ chains
or thereabouts southward of Rutland Road:

Tramway No. 4A (double line 1·5 chains or thereabouts in
length) commencing in Queen Street by a junction with
Tramway No. 5 authorised by the said London County
Council (*Tramways and Improvements*) Act 1902 at a
point 1 chain or thereabouts south of the junction of
Bridge Road with Queen Street and terminating by a
junction with Tramway No. 4 hereinbefore described in

Bridge Road at a point 1 chain or thereabouts westward of the junction of Bridge Road and Queen Street: A.D. 1903.

The said Tramways Nos. 3 4 and 4A will be situate wholly within the parish of Hammersmith:

Tramway No. 6 (double line 1 furlong 6·20 chains or thereabouts in length) commencing in the parish of Streatham at or near the county boundary at the south-western end of Wimbledon Road and terminating in the said parish of Streatham in Garratt Lane by a junction with Tramway No. 12 authorised by the London County Council (*Tramways and Improvements*) Act 1901 at a point $\frac{1}{2}$ chain or thereabouts south-eastward of the junction of Wimbledon Road with Garratt Lane:

Tramway No. 6A (double line 2·3 chains or thereabouts in length) commencing in the parishes of Streatham and Wandsworth or one of them at a point in Wimbledon Road 2 chains or thereabouts south-westward of the junction of Wimbledon Road with Garratt Lane and terminating in the parish of Wandsworth in Garratt Lane by a junction with the said authorised Tramway No. 12 at a point 2 chains or thereabouts north-westward of the junction of Wimbledon Road with Garratt Lane:

Provided that Tramways Nos. 6 and 6A shall not be constructed unless or until the roads along which such tramways are to be constructed shall have been widened to fifty-four feet.

5.—(1) The Council shall not use for public traffic any portion of Tramway No. 3 southward of the point marked A on the plan signed by Hudson Ewbanke Kearley the Chairman of the Committee of the House of Commons to which the Bill for this Act was referred of which a copy has been deposited in the Private Bill Office of the House of Commons unless or until the Broadway (Hammersmith) shall have been widened to the extent shown by a yellow colour on the said plan at the joint expense of the Council and the council of the metropolitan borough of Hammersmith (in this section referred to as “the Hammersmith Council”) upon terms of the Council paying two-thirds of the net cost of such widening or the sum of thirty thousand pounds whichever shall be the less and the Hammersmith Council contributing the remainder of such net cost. The Hammersmith Council shall not oppose except upon details any application by the Council upon the terms above set forth for any necessary parliamentary powers for the Council or the Hammersmith Council to execute such widening and the costs

As to user of
Tramway
No. 3.

A.D. 1903. — of any such application shall be deemed to form part of the cost of the said widening :

Provided that if the Hammersmith Council shall consent to any such powers as aforesaid being applied for subject to an obligation upon that council to exercise the same within a reasonable period after the same shall have been obtained then any such application as aforesaid shall be for such powers to be conferred upon the Hammersmith Council and not upon the Council except in the event of default by the Hammersmith Council.

(2) The Council shall not use for public traffic the portion of the said Tramway No. 3 laid in Wood Lane between the southern side of the bridge carrying the West London branch of the London and North Western Railway over that line and a point 1 chain or thereabouts north of the junction of Bulwer Street with Wood Lane until they shall have thrown into the roadway of Wood Lane so much of the footpaths on both sides thereof or either of such footpaths as may be required to increase to not less than thirty-two feet six inches the width of the roadway of the said portion of Wood Lane.

As to tramways in narrow streets.

6. The Council shall not lay down any part of the tramways so that for a distance of thirty feet or upwards a less space than nine feet six inches will intervene between the outside of the footpath on either side of the street and the nearest rail of the tramway except in the case of Tramway No. 3 at the places hereinafter described (that is to say) :—

In Scrubbs Lane on both sides thereof—

Between points respectively about 1 chain north and 1 chain south of the centre of the bridge carrying the said lane over the London and North Western Railway near Waldo Road ;

Between points respectively about $3\frac{1}{2}$ chains north and $3\frac{1}{2}$ chains south of the centre of the bridge carrying the said lane over the Great Western Railway (main line) :

In Scrubbs Lane and Wood Lane on both sides thereof between a point in Scrubbs Lane 2 chains or thereabouts southward of the centre of the bridge carrying the London and North Western Railway (West London branch) over the said lane and a point in Wood Lane 1 chain or thereabouts north of Bulwer Street :

In Shepherd's Bush Road on both sides thereof between points respectively 1 chain and $1\frac{1}{2}$ chains north of the junction of Dewhurst Road with Shepherd's Bush Road :

In Brook Green Road on both sides thereof between points respectively about 1 chain and 3 chains north of the refuge at the junction of Brook Green Road with Hammersmith Road: A.D. 1903.

In Broadway (Hammersmith) on the north-western side between the south-western corner of Brook Green Road and a point 1 chain or thereabouts south-westward of that corner.

7.—(1) Where it is necessary for the Council in constructing any tramway by this Act authorised in any street or road to alter any bridge or structure carrying such street or road over any railway or over any canal or dock entrance (hereinafter included in the expression “bridge”) the Council shall execute the work in such a manner as to alter or interfere as little as possible with the structure of the bridge or with the approaches thereto so far as they belong to the owners of the bridge and they shall so maintain and use the said tramway as to interfere as little as possible with the structure of any such bridge or approaches. Alteration of
bridges &c.

(2) Any interference with or alteration of the structure of any such bridge shall only be executed by the Council according to plans and sections to be previously submitted to and reasonably approved by the engineer of the owners of the bridge and all works affecting any such bridge shall be carried out under the superintendence and to the reasonable satisfaction of the said engineer:

Provided that unless the engineer of the owners by notice in writing to the Council within twenty-one days after the submission of such plans and sections give notice in writing to the Council objecting thereto or making any requirement with respect thereto the said plans and sections shall be deemed to have been approved on behalf of the owners and the work may be proceeded with accordingly.

(3) In the event of any injury being caused to any such bridge or approaches by any works for constructing altering or repairing such tramway or any wire cable or apparatus the owners may at the expense of the Council restore such bridge and approaches or the part or parts thereof which may be so injured to as good a state and condition as they were in before such injury was occasioned and the Council shall indemnify the owners against all the expenses to which they may be put in repairing so much of the bridge or the road over such bridge and approaches as the owners are liable to maintain and repair and the owners may recover from the Council the amount of such expenses.

A.D. 1903.

(4) In case it shall become necessary in consequence of the construction of such tramway or the use thereof when worked by electrical power to strengthen the structure of any such bridge the owners may after giving to the Council seven clear days' notice thereof execute such works as may be necessary to strengthen such bridge and the costs and expenses of and incidental to such strengthening shall be repaid by the Council to the owners.

(5) In the case of such tramway being constructed on a bridge over a railway if it become advisable having regard to the relative positions of the works of the Council and the works of the owners of the railway that the electric telegraphic telephonic or signal wires and apparatus connected with the railway should be placed in cable or otherwise altered the owners of the railway may execute any works reasonably necessary for such cabling or alteration and the expense of executing such works shall be borne by the Council.

(6) If any difference shall arise under this section between the Council and the owners as to anything to be done under the provisions of this section or the reasonableness of any requirements or of any charges under this section the matter in difference shall unless otherwise agreed be determined by a referee in accordance with the provisions of section 33 of the Tramways Act 1870.

(7) For the purpose of this section the expression "owners" shall include the person or company liable to maintain the bridge over which such tramway is constructed.

8. The sections of the London County Council (Tramways and Improvements) Act 1901 of which the numbers and marginal notes are hereinafter set forth shall be deemed to be incorporated with this Act and shall extend and apply to the tramways and to the Council in respect thereof namely:—

Applying to tramways certain provisions of London County Council (Tramways and Improvements) Act 1901.

Number of Section.	Marginal Note.
7	Tramways not to be opened until certified by Board of Trade.
8	As to rails of tramways.
9	Rails to be maintained on level of roadway.
10	Saving rights of access to sewers.
11	Penalty for not maintaining rails and roads in good condition and inspection of tramways.
12	Power to make additional crossings &c.
13	Council may reduce width of footway in certain cases.
14	Use of tramways by road authorities for certain local purposes.
17	Power to Council to work tramways.
19	For protection of Postmaster-General.
22	Provision against interference with tramways.

Provided that the said section 19 of the said Act shall apply and have effect as if subsection (5) of paragraph (B) of that section were omitted therefrom. A.D. 1903.

9.—(1) The carriages used on the tramways may be moved by animal power and in addition may subject to the provisions of this Act and of the London County Tramways (Electrical Power) Act 1900 be moved by electrical power. Applying certain provisions of London County Tramways (Electrical Power) Act 1900.

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

Number of Section.	Marginal Note.
6	Power to construct and provide appliances.
7	Further provisions as to paving materials of roads.
9	Application of materials excavated in construction of works.
10	Alterations in streets &c.
11	Electrical power works subject to Tramways Act 1870.
12	Drainage and cleaning of rails and conduit.
13	Reference of certain questions to arbitration.

shall extend and apply to the tramways by this Act authorised.

10. Nothing in this Act shall authorise the Council to place any posts or wires on or over any street for the purpose of working the Tramways No. 6 and No. 6A by this Act authorised by electrical power unless the council of the metropolitan borough of Wandsworth shall by a resolution have consented to the adoption thereon of a system of traction conducted by means of posts and wires placed overhead. Overhead system not to be applied in Wandsworth without consent of borough council.

Such consent may be subject to any limitations or conditions which may be expressed in the resolution and may apply to either of the streets or roads in which the said tramways are to be made or may fix any limited period defined by such resolution.

A copy of such resolution under the seal of the council, the said metropolitan borough shall be delivered to the Council and shall be evidence of the due passing of such resolution.

11. The Council shall submit to the council of the metropolitan borough of Hammersmith plans showing the position of all posts and wires which it is proposed to place in the said borough for the purpose of working the Tramways Nos. 3 4 and 4A by this Act authorised by electrical power and shall not place the same otherwise As to position of posts and wires.

A.D. 1903. — than in such positions and subject to such obligations as to the placing thereon of electric lamps of the said borough council as such council may within one month after such submission by resolution reasonably prescribe.

Cables &c.
for forming
connections
with generat-
ing stations
not to be
placed over-
head without
consent of
borough
council.

12. Nothing in this Act shall authorise the Council to place in any metropolitan borough any posts wires or cables on or over any street for the purpose of forming connections between any generating station and any tramway of the Council unless the council of such metropolitan borough shall by a resolution have consented thereto.

Such consent may be subject to any limitations or conditions which may be expressed in the resolution and may apply to any particular streets or roads or fix any limited period defined by such resolution.

A copy of such resolution under the seal of the council of such metropolitan borough shall be delivered to the Council and shall be evidence of the due passing of such resolution.

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

13. The Council on the one hand and the local authority of any district adjoining the county of London on the other hand may enter into and carry into effect agreements with respect to the working of any tramway or light railway or any part thereof in such adjoining district belonging to or for the time being worked by such local authority and any tramways or proposed tramways of the Council which may be connected therewith.

Working
agreements
with com-
panies own-
ing tramways
in or near
London.

14. The Council on the one hand and any company or companies owning tramways in or near the county of London on the other hand may enter into and carry into effect agreements with respect to the working use management and maintenance of the tramways by this Act authorised or any other tramways belonging to the Council or to such company or companies respectively and the interchange of traffic thereon.

Application
of section 32
of Tramways
Act 1870.

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

Tolls &c.

16. The tramways shall for the purpose of fixing and defining the tolls and charges to be levied and made in respect thereof be

deemed so far as they are situate on the north side of the River Thames to form part of the tramways leased by the Council to the North Metropolitan Tramways Company and so far as they are situate on the south side of the River Thames to form part of the tramway undertaking of the Council.

A.D. 1903.

17. In addition to the provisions of the section of this Act of which the marginal note is "Alteration of bridges &c." the following provisions shall unless otherwise agreed apply and have effect for the protection of the London and South Western Railway Company (in this section referred to as "the South Western Company") (that is to say):—

For protection of London and South Western Railway Company.

- (1) The Council shall bear and on demand pay to the South Western Company all reasonable costs of the superintendence by them of the construction of the tramways and any repairs thereof affecting the bridge carrying Shepherd's Bush Road over the railway of the South Western Company and all reasonable costs of watching lighting and protection of such railway during such construction or repair but such superintendence by the South Western Company shall not relieve the Council from liability for any accident which may be occasioned by or through the operations of the Council or their contractors agents or workmen :
- (2) The Council shall compensate the South Western Company for any damage or injury occasioned to the railways works or property of the South Western Company by or in consequence of the construction of the tramways or the working thereof and shall indemnify them against all claims by any persons using the railways arising from such construction or working :
- (3) Any additional expense incurred by the South Western Company for or in respect of the maintenance of the structure of the bridge and road at Shepherd's Bush Road and also of the electric telegraphic telephonic or signal wires and apparatus connected with the railway of the South Western Company occasioned by the execution by the Council of any works under the powers of this Act shall be borne and paid by the Council :
- (4) If the South Western Company shall require to alter repair widen or extend the bridge carrying Shepherd's Bush Road over their railway and shall find it necessary for effecting any of such purposes that the working and user

A.D. 1903.

of such tramways over the said bridge shall be wholly or partly stopped or delayed or that the tramways shall be temporarily diverted and shall (except in case of emergency) give to the Council fourteen clear days' notice in writing requiring such stoppage delay or diversion the working and user of such tramways shall be stopped or delayed or the tramways shall be temporarily diverted (but only for so long as may be absolutely necessary for the purposes in this subsection mentioned) and the South Western Company shall not be liable for any compensation claim damages costs or expenses for or in respect of such diversion or stoppage Provided that if the said tramways be constructed as a double line over the said bridge the South Western Company shall not be at liberty to stop delay or divert more than one line of rails on the said bridge at any one time :

- (5) The Council shall not in working the said tramways obstruct or interfere with the free passage of persons or vehicles to or from the entrances to or exits from the Shepherd's Bush Station of the South Western Company and tramcars or other vehicles used on the said tramways shall not without the consent of the South Western Company be stopped or permitted to be stopped opposite to or within ten yards of either side of a point opposite such entrances or exits except for and only for so long as shall be necessary for the purposes of taking up and setting down passengers :
- (6) If any difference shall arise under this section between the Council and the South Western Company the matter shall unless otherwise agreed be determined by a referee in accordance with the provisions of section 33 of the Tramways Act 1870.

For protection of
Great Western
Railway
Company.

18. Notwithstanding anything in this Act contained or shown on the deposited plans and sections the following provisions for the protection of the Great Western Railway Company (in this section referred to as "the Great Western Company") shall unless otherwise agreed in writing between the Great Western Company and the Council apply and have effect (that is to say) :—

- (i) The Council shall not without the previous consent in writing of the Great Western Company under the hand of their secretary take enter upon or use any greater portion

of the property numbered on the deposited plans 54 in the parish of Hammersmith than shall be actually required for the purpose of widening Scrubbs Lane : A.D. 1903.

- (2) When and so soon as the Council commence to construct the proposed widening of Scrubbs Lane upon the lands and property of the Great Western Company the Council shall construct to the reasonable satisfaction of the principal engineer of that company a suitable fence of such dimensions material and design as shall be previously approved by the said engineer for the purpose of separating the said lands and property from the other adjoining lands and property of the Great Western Company :
- (3) Notwithstanding the acquisition of the said lands and property of the Great Western Company that company shall have full and uninterrupted access to Scrubbs Lane when widened for the full extent of their lands and property abutting on such lane :
- (4) No part of Tramway No. 3 by this Act authorised shall be constructed or laid down in the portion of the road known as Scrubbs Lane between the southern end of the bridge carrying that lane over the Great Western Railway (hereinafter referred to as "the said bridge") and the northern end of the southern approach to the Mitre Bridge over the canal unless and until the said portion of road and bridge over the Great Western Railway has been widened to not less than forty-five feet :
- (5) Nothing contained in or done under this Act shall impose upon the Great Western Company any liability for the repair and maintenance of the said bridge and the roadway thereover and the approaches thereto to which they are not now subject :
- (6) The said Tramway No. 3 where the same will be made upon across or over the said bridge or will otherwise interfere with the same shall be constructed so as not to interfere with the structure of the said bridge and according to plans sections and specifications to be previously submitted to and approved by the Great Western Company or in case of difference between them and the Council by an arbitrator to be appointed as hereinafter provided The said tramway shall be constructed and thereafter maintained according to the plans sections and specifications so approved and under the superintendence and to the satisfaction of

and user of such portion of the said tramway shall be stopped or delayed or such portion of the said tramway shall be temporarily diverted as stated in such notice at the expense of the Council and under their superintendence if they shall give such superintendence but the working or user of such portion shall not be stopped or delayed and such portion of the said tramway shall not be temporarily diverted for a longer period than may be absolutely necessary for effecting such purposes as aforesaid and the Great Western Company shall give all reasonable facilities for enabling such portion of the said tramway to be restored with all possible despatch but shall not be liable for any compensation claims damages or expenses in respect of such delay stoppage or taking up or removal as aforesaid Provided that if the said tramway be constructed as a double line over the said bridge the Great Western Company shall not be at liberty to stop delay or divert more than one line of rails on the said bridge at any one time unless it shall be absolutely necessary :

- (10) Any additional expense in the maintenance of the said bridge occasioned to the Great Western Company by the construction or user of the said tramway shall be borne by the Council :
- (11) If by reason of the rebuilding of the said bridge or the construction or user of the said Tramway No. 3 it shall become necessary to add to or alter any electric telegraphic or telephonic lines or signals signal-box or signalling apparatus upon the railways of the Great Western Company the same shall be so added to or altered by the Great Western Company and the expense thereof shall be repaid to that company by the Council :
- (12) Any difference which may arise between the Council and the Great Western Company with reference to the provisions of this section shall be referred to an arbitrator to be appointed on the application of either party by the Board of Trade.

19. Notwithstanding anything in this Act contained the following provisions for the protection of the Great Western Railway Company and the Metropolitan Railway Company (in this section together hereinafter referred to as "the companies") with relation to the construction of Tramway No. 3 by this Act

For protection of Great Western Railway and Metropolitan Railway Companies.

A.D. 1903. — authorised shall unless otherwise agreed between the Council and the companies apply and have effect (that is to say) :—

- (1) The portion of the said tramway under the bridge carrying the Hammersmith and City Railway of the companies shall be so laid as not to interfere with the structure of such bridge :
- (2) In the event of the tramways being worked by electricity on the overhead wire system the Council shall if and when the companies require to reconstruct repair or paint the said bridge in order to insure the safety of the workmen employed in such reconstruction repairing or painting cut off the electric current from the trolley wires under such bridge at such times as shall be reasonably required by the companies unless the Council shall have previously adopted some other means of protection to workmen which shall have been approved by the principal engineers of the companies :
- (3) If owing to the construction of the said tramway under the said Hammersmith and City Railway of the companies it at any time become necessary having regard to the relative positions of the works of the Council and the works of the companies that the electric telegraphic telephonic or signal wires and apparatus connected with the said railway should be placed in cable or otherwise altered the companies may execute any works reasonably necessary for such cabling or alteration and the expense of executing such works shall be borne by the Council :
- (4) Any dispute or difference which may arise between the companies and the Council with reference to the provisions of this section or in any way arising thereout or as to any works to be carried out in pursuance thereof shall be settled by arbitration by an engineer or other fit person to be agreed upon or failing agreement to be appointed by the Board of Trade on the application of the companies and the Council or either of them.

For protection of London and North Western Railway Company.

20. The following provisions for the protection of the London and North Western Railway Company (in this section referred to as "the North Western Company") shall unless otherwise agreed in writing between the North Western Company and the Council apply and have effect :—

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans the Council shall not without the

previous consent of the North Western Company under their common seal enter upon take or use any of the lands or property of that company except so much thereof as is coloured red on the plan signed by Maurice Fitzmaurice on behalf of the Council and by Edward Baylies Thornhill on behalf of the North Western Company but the Council may purchase and take and the North Western Company shall if so required by the Council sell and grant accordingly an easement or right of using so much of the lands of that company for the construction in accordance with the provisions of this section of the proposed widenings of Scrubbs Lane over so much of the railways and property of the North Western Company coloured blue on the said plan as the Council shall require for that purpose :

- (2) When and so soon as the Council commence to construct the proposed widening of Scrubbs Lane upon the said lands and property coloured red and blue upon the said plan the Council shall construct to the reasonable satisfaction of the principal engineer of the North Western Company (hereinafter referred to as "the principal engineer") a suitable fence of such dimensions material and design as shall be previously approved by the principal engineer for the purpose of separating the said lands and property from the other adjoining lands and property of the North Western Company :
- (3) Notwithstanding the acquisition of the said lands and property coloured red and blue as aforesaid the North Western Company shall have full and uninterrupted access to Scrubbs Lane when widened for the full extent of their lands and property abutting on such lane :
- (4) If it shall be necessary in connection with the construction of the proposed widening of Scrubbs Lane that the bridge carrying the West London branch of the North Western Company over Scrubbs Lane shall be rebuilt such rebuilding shall be executed at the cost and expense in all things of the Council :
- (5) If the Council determine to adopt the conduit system for the purpose of providing the necessary electrical power for moving the carriages to be used on the Tramway No. 3 by this Act authorised (in this section referred to as "the said tramway") the bridge which carries Scrubbs Lane over the main line of the North Western Company shall before the construction of the said tramway across the same be rebuilt

A.D. 1903.

to the extent to which the same now exists at the cost and expense in all things of the Council but so that the headway of such reconstructed bridge over the present rail level shall not be less than that of the existing bridge :

- (6) The Council shall not except with the consent of the North Western Company themselves execute any of the works necessary for the taking down or the rebuilding of the said bridges nor shall they interfere with the railways over or under such bridges nor with the traffic upon such railways but the North Western Company shall if so required in writing by the Council take down and reconstruct the said bridges or either of them or make all such alterations therein as may be required by the Council in order to admit of the widening of the road or the construction of the said tramway to the reasonable satisfaction of the engineer of the Council and in accordance with plans elevations sections and particulars to be agreed on between the Council and the North Western Company or settled by arbitration as hereinafter provided :
- (7) The Council shall repay to the North Western Company all sums properly expended by them from time to time in or about the construction and carrying out of the said works and upon the materials required for the same including all reasonable costs of any inspectors and watchmen and of the preparation and settlement of any plans sections and specifications of such works and materials and if any such payments shall not be made by the Council within one month after demand made the Council shall be liable to pay interest thereon at the rate of four per centum per annum from the date of such demand and they shall upon the completion of the works to be executed by the North Western Company also pay to them such a sum as shall be agreed between the North Western Company and the Council or determined by arbitration by way of composition for and in satisfaction of all claims by the North Western Company in respect of the additional expense of maintenance of the said bridges or bridge arising from any increase in length or alteration in the form of construction effected under the powers of this Act :
- (8) The new reconstructed or altered bridges and the materials therein shall be and remain the property of the North Western Company and shall be maintained by them as part

of their railways and works but the road and footways under the first-mentioned bridge shall be formed paved metalled channelled and flagged by and at the expense of the Council:

(9) The Council shall also repay to the North Western Company the amount of any costs losses damages and expenses occasioned to them or to their railway or to the traffic thereon or to any person or persons using the same or otherwise during and by reason of the construction of the works by this Act authorised and the Council shall effectually indemnify and hold harmless the North Western Company from all claims and demands upon or against them by reason thereof Provided that such costs losses damages or expenses are not due to any negligence on the part of any contractor or other person employed by the North Western Company :

(10) If the North Western Company shall hereafter require to widen lengthen straighten alter or repair the said bridge carrying Scrubbs Lane over the main line of the North Western Company or the approaches to such bridge or to widen or alter their said main line the Council shall afford to the North Western Company all reasonable and proper facilities for those purposes or any of them and if the North Western Company shall find it necessary for any such purposes that the working or user of any portion of the said tramway upon the said bridge or its approaches shall be temporarily wholly or in part stopped or delayed or that such portion of the said tramway shall be temporarily diverted and the North Western Company shall give to the Council fourteen clear days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such stoppage delay or diversion then the working and user of such portion of the said tramway shall be stopped or delayed or such portion of the said tramway shall be temporarily diverted as stated in such notice at the expense of the Council and under their superintendence (if they shall give such superintendence) but the working or user of such portion shall not be stopped or delayed and such portion of the said tramway shall not be temporarily diverted for a longer period than may be absolutely necessary for effecting such purposes as aforesaid and the North Western Company shall give all reasonable facilities for enabling such portion of the said tramway to be restored with all possible despatch

A.D. 1903.

but shall not be liable for any compensation claims damages or expenses in respect of such stoppage delay or diversion as aforesaid Provided that if the said tramway be constructed as a double line over the said bridge the North Western Company shall not be at liberty to stop delay or divert more than one line of rails on the said bridge at any one time unless it shall be absolutely necessary :

- (11) Before the Council affix to any bridge belonging to the North Western Company any posts brackets electric conductors wires or apparatus drawings showing the design and material thereof and of the manner in which it is proposed to so affix them shall be submitted to and approved by the principal engineer of the North Western Company :
- (12) If by reason of the rebuilding of the said bridge over the main line of the North Western Company or the construction or user of the said tramway it shall become necessary to add to or alter any electric telegraphic or telephonic wires or signals signal-box or signalling apparatus upon the railways of the North Western Company the same shall be so added to or altered by the North Western Company and the expense thereof shall be repaid to that company by the Council :
- (13) In the event of the tramways being worked by electricity on the overhead wire system the Council shall if and when the North Western Company require to repair or paint the bridge carrying their West London branch over Scrubbs Lane in order to ensure the safety of the workmen employed in such repairing or painting cut off the electric current from the trolley-wires under such bridge at such times as shall be reasonably required by the principal engineer unless the Council shall have previously adopted some other means of protection to workmen which shall have been approved by the principal engineer :
- (14) The widening of the bridge known as Mitre Bridge carrying Scrubbs Lane over the Grand Junction Canal and the approaches thereto shall not impose upon the North Western Company any liability for the repair and maintenance of such bridge and the roadway thereover and the approaches thereto to which they are not now subject :
- (15) Any difference which may arise between the Council and the North Western Company with reference to the plans elevations and particulars aforesaid or as to the sum to be

paid by the Council by way of composition for the increased cost of maintenance of the said bridges or bridge or to any other matter arising under the provisions of this section shall be referred to an arbitrator to be appointed on the application of either party by the Board of Trade. A.D. 1903.

21. In addition to the provisions of the section of this Act of which the marginal note is "Alteration of bridges &c." the following provisions shall unless otherwise agreed apply and have effect for the protection of the Metropolitan District Railway Company (in this section referred to as "the company") (that is to say) :—

For protection of Metropolitan District Railway Company

(1) The provisions of section 15 of the London County Tramways (Electrical Power) Act 1900 shall apply to any interference by the Council under the powers of this Act with the lines of electric cables inspection chambers and other works which the company are authorised to lay down and construct between the company's generating station at Lots Road Chelsea and the company's Earl's Court station :

Provided that notwithstanding anything in the said section contained any question that may arise between the Council and the company as to any works of the Council affecting such lines of cables inspection chambers and other works shall be referred to and determined by the Board of Trade :

(2) The Council shall compensate the company for any damage or injury occasioned to the railways works or property of the company or for interference with the working of the traffic on the company's railway by or in consequence of the construction of the tramways or the working thereof and shall indemnify them against all claims by any persons using the railways arising from such construction or working :

(3) If it shall become necessary for effecting any strengthening of the tunnel of the company under the provisions of this Act before contained that the working and user of any portion of the Tramway No. 3 by this Act authorised shall be wholly or in part stopped or delayed and the company shall give to the Council fourteen clear days' notice in writing requiring such stoppage or delay the working or user of such portion of the said tramway shall be stopped or delayed accordingly but only for so long as may be absolutely necessary for effecting such strengthening and the company

A.D. 1903.

shall not be liable for any compensation claim demand damages costs or expenses for or in respect of such stoppage or delay Provided that if the said tramway be constructed as a double line over such tunnel the company shall not be at liberty to stop delay or divert more than one line of rails over the said tunnel at any one time :

- (4) The Council shall not in working the said tramways obstruct or otherwise interfere with the entrances and exits to and from the station buildings of the company :
- (5) The Council shall from time to time be responsible for and make good to the company all damage or injury occasioned to the said tunnel or the works or property of the company by or in consequence of the construction or working of the said tramway and the Council shall effectually indemnify and hold harmless the company from all claims and demands upon or against them by reason of such construction or working :
- (6) If any difference shall arise under this section between the Council and the company the matter shall unless otherwise agreed be determined by a referee in accordance with the provisions of section 33 of the Tramways Act 1870.

For pro-
tection of
Grand Junc-
tion Canal
Company.

22. Whereas Tramway No. 3 by this Act authorised (in this section called "the tramway") is intended to be constructed across the bridge known as Mitre Bridge (in this section called "the bridge") carrying Scrubbs Lane over the Grand Junction Canal (in this section called "the canal") and in connection therewith it is intended to widen or alter the bridge and the approaches thereto Now therefore notwithstanding anything in this Act contained the following provisions for the protection of the company of proprietors of the Grand Junction Canal (in this section called "the canal company") shall unless otherwise agreed in writing between the Council and the canal company apply and have effect (that is to say) :—

- (1) The Council shall not acquire any land or property of the canal company but only such an easement therein as may be necessary for the widening or alteration of the bridge and approaches thereto in manner by this Act authorised and for the construction maintenance and user of the tramway in accordance with the provisions of this Act :
- (2) The widening or alteration of the bridge and all works in connection therewith shall be carried out in accordance with

plans sections and specifications previously submitted to and approved by the canal company and under the superintendence and to the reasonable satisfaction of their engineer :

- (3) The bridge as widened or altered shall have a clear span over the canal and towing-paths and other property of the canal company of not less than fifty feet measured at right angles to the face of the abutments and a clear headway over the canal and towing-path of not less than ten feet above weir level of the canal at the point of crossing and shall not exceed forty-five feet in width between the parapets and the Council shall not in widening or altering the bridge or in executing any works in connection therewith or in maintaining or repairing the same or in constructing placing laying down maintaining or working the tramway or any works or apparatus for working the same by mechanical power damage or interfere with the canal or the towing-path thereof or other property of the canal company or cause any loss of water from the canal or interruption to the passage of traffic thereon or on the said towing-path or (except as hereinafter mentioned) reduce or diminish the span or headway of the bridge or the space available for the passage of traffic thereunder Provided that the Council may during the widening or alteration of the bridge and in connection therewith construct and maintain a temporary bridge over the canal and towing-path in such position and of such dimensions as the engineer of the canal company may approve :
- (4) If any such damage interference interruption loss of water reduction or diminution as in the last preceding subsection mentioned shall at any time arise or be occasioned by reason or in consequence of any of the works or operations of the Council the Council shall forthwith at their own expense make good stop or remove the same as the case may require and in case of default by the Council in so doing the canal company may make good stop or remove the same at the expense of the Council and the Council shall repay to the canal company on demand all costs and expenses reasonably incurred by them in so doing and shall also repay or make good to the canal company all loss or damage sustained by the canal company in consequence of such damage interference interruption reduction diminution or loss of water :

A.D. 1903.

- (5) The Council shall not in executing any works by this Act authorised or in placing maintaining or working the tramway or any works connected therewith in any way obstruct or interfere with or render less convenient for traffic the existing access from the towing-path of the canal to Scrubbs Lane :
- (6) All the works of the Council affecting the bridge or the approaches thereto shall after the commencement thereof be carried out expeditiously and with as little delay as possible :
- (7) The widening or alteration by the Council of the bridge shall not impose upon the canal company any liability for the maintenance or repair of the bridge to which they are not now subject :
- (8) If any difference shall arise between the Council and the canal company with respect to any plans or sections to be submitted as aforesaid or the mode of executing any works or as to any costs expenses loss or damage as in this section mentioned such difference shall be referred to and settled by an engineer to be appointed by the Board of Trade on the application of the Council or the canal company.

For protec-
tion of West
Middlesex
Waterworks
Company.

23. For the protection of the company of proprietors of the West Middlesex Waterworks (in this section called "the water company") the following provisions shall have effect in addition to any other provisions in this Act or the Tramways Act 1870 contained for the protection of the water company unless otherwise agreed between the water company and the Council (that is to say) :—

- (1) In this section the expression "the signed plans" means the plans in relation to the alterations to Mitre Bridge carrying Scrubbs Lane over the Grand Junction Canal which have been signed by the Right Honourable the Lord Harris the Chairman of the Committee of the House of Lords to which the Bill for this Act was referred and of which a copy has been deposited in the Parliament Office of the House of Lords :
- (2) The works referred to in the last preceding subsection so far as they affect the mains pipes or works of the water company shall unless otherwise agreed be carried out in accordance with the signed plans and the chief engineer of the Council shall not give any directions under the section

of this Act the marginal note to which is "For protection of gas and water companies" that shall or may be inconsistent or at variance with the signed plans or anything therein contained : A.D. 1903. ---

- (3) If any interruption whatsoever in the supply of water by the water company or any loss of water shall be in any way occasioned or sustained by the water company by reason of any act or omission of the Council or by the acts of any of their contractors agents workmen or servants or any person in the employ of them or either of them in executing the said alteration of Mitre Bridge the Council shall forfeit and pay to the water company for such interruption for the use and benefit of the water company the sum of five pounds for every hour during which such interruption shall continue If the Council shall find it necessary to undermine but not otherwise alter the position of any main pipe or work belonging to the water company they shall temporarily support and protect the same in its position during the execution of their works and on their completion shall provide a good and suitable foundation for every main pipe or work so undermined :
- (4) Notwithstanding anything in this Act contained the Council shall be responsible for and make good to the water company all costs losses damages and expenses which may be occasioned to the water company or to any of their mains pipes syphons apparatus property works and conveniences by reason of the execution or failure of any of the intended works at Mitre Bridge or of any act or omission of the Council or of any of their contractors agents workmen or servants or any of the persons in their employ or in the employ of their contractors or others and the Council will effectually indemnify and hold harmless the water company from all claims and demands upon or against them by reason of such execution or failure or of any such act or omission :
- (5) Any difference arising between the Council and the water company respecting any of the matters referred to in this section shall be settled by an engineer to be appointed at the request of either party by the President of the Institution of Civil Engineers.

A.D. 1903.
 For pro-
 tection of
 London
 United
 Tramways
 (1901)
 Limited.

24. For the protection of the London United Tramways (1901) Limited (in this section called "the company") the following provisions shall have effect unless otherwise agreed on in writing between the Council and the company (that is to say):—

- (1) In this section the expression "the Council's conductor" means the overhead conductor or conductors placed for transmitting electric energy for the purposes of Tramway No. 3 by this Act authorised and the expression "the company's conductor" means the overhead conductors of the company placed for transmitting electric energy for the purposes of their tramways :
- (2) The method of erecting and using the Council's conductor across over or under the company's conductor and any alterations or adaptations of the company's conductor rendered necessary for the purposes of the said Tramway No. 3 shall be such as may with the approval of the Board of Trade be agreed between the Council and the company or as failing agreement may be determined on the application of either party by the Board of Trade :

Provided that if reasonably practicable the company's conductor shall be continuous throughout and the Council's conductor shall be so placed that no part thereof shall be within nine inches of the company's conductor but the said two conductors may be in the same horizontal plane with suitable attachments to each of them for the trolley wires :

- (3) Subject to the provisions of this section the separation between the Council's conductor and the company's conductor shall be effected in a form and with material which shall be of ample mechanical strength but shall also have sufficient insulating resistance to effectually secure that no electric current can pass from the conductors of one electrical system to the conductors of the other electrical system under any circumstances or atmospheric conditions whatever even when the whole of the material exposed to the weather is thoroughly wet by rain snow or otherwise :
- (4) The description and details of the method and manner in which the Council propose that the said conductors shall cross one another and the manner in which the Council

propose that current shall be supplied to their conductor and to the company's conductor respectively shall not less than twenty-eight days before the erection of the Council's conductor be submitted by the electrical engineer of the Council to the electrical engineer of the company for his approval and if within twenty-eight days of such submission he does not in writing approve or disapprove thereof or state his requirements in relation thereto he shall be deemed to have approved thereof but subject thereto if any difference shall arise between the said engineers touching this subsection such difference shall be determined by an arbitrator to be appointed by the Board of Trade on the application of either the Council or the company :

- (5) All extra costs and expenses which the company may reasonably incur or be put to in constructing placing or maintaining the company's conductor by reason of the crossing thereof by the Council's conductor shall be paid on demand by the Council to the company :
- (6) The portions of Tramway No. 3 which are laid across the tramways of the company in Uxbridge Road and Goldhawk Road shall be constructed and maintained in accordance with plans to be agreed between the principal engineers of the Council and the company or in case of difference to be settled as hereinafter mentioned and in either case approved by the Board of Trade (such plans to show the apparatus (if any) to be employed for insuring the due control of the traffic on the tramways when approaching the said level crossings) and under the superintendence and to the reasonable satisfaction of such engineer of the company at the cost of the Council (unless after seven days' notice in writing by the Council of their intention to commence such works given to the company such superintendence is refused or withheld) and so as not to interfere with the traffic on the tramways of the company and the said portion of Tramway No. 3 shall be so constructed and maintained and kept in constant and efficient repair by the Council to the reasonable satisfaction of such principal engineer of the company and at the cost of the Council except as to repairs rendered necessary by any act or negligence of the company :
- (7) The traffic on the said Tramway No. 3 and on the tramways of the company at and near the points of crossing in Uxbridge Road and Goldhawk Road shall subject to

A.D. 1903.

police regulations be managed and controlled by the Council and the company respectively in such manner and according to such regulations as may be agreed between the Council and the company or as failing agreement may be determined on the application of either party by the Board of Trade :

- (8) If at any time or times the Board of Trade require the construction erection or alteration of any signals or any conveniences incident to or consequent on the tramway of the Council crossing the tramway of the company such signals and conveniences shall be provided constructed erected maintained and altered by and at the cost of the Council in all things and the company may appoint and remove such persons as may be reasonably necessary for working such signals and conveniences and the reasonable cost thereof and of and incident to such working shall at the end of every half-year be repaid by the Council to the company :
- (9) The Council shall bear and on demand pay to the company the expense of the employment by the company during the execution or repair of any work under this Act affecting the company's tramways of a sufficient number of inspectors watchmen and signalmen to be appointed by the company for watching and signalling the same with reference to and during the execution of any such work of the Council and for securing the safety of the public and of passengers using the company's tramways and for preventing all interference obstruction danger and accident from any of the operations or from the acts or defaults of the Council or their contractors or any person in the employment of the Council or of their contractors with reference thereto :
- (10) If during the execution or by reason of the failure of any of the works or any act or omission of the Council or of their contractors or of any person in the employ of the Council or of their contractors the tramways of the company shall be injured or damaged such injury or damage shall be forthwith made good by the Council at their own expense and in the event of their failing so to do the company may make good the same and recover the expense thereof with costs against the Council and the Council shall indemnify the company against all losses which the company may sustain and shall pay all costs charges and expenses which

A.D. 1903.

the company may be put to or incur during such execution or by reason of such failure act or omission as aforesaid :

- (11) The protection afforded to the company by this section shall not extend to the case of any interference with the wires lines and apparatus of the company or the currents therein to which section 4 of the London County Tramways (Electrical Power) Act 1900 applies but the company shall not by reason of being specially protected as regards other matters under this section lose as regards any such interference any protection to which they are otherwise entitled :
- (12) If any difference shall arise between the Council and the company or their respective engineers under this section or as to anything to be done or not to be done thereunder the same shall be determined by an engineer to be agreed on between the Council and the company or failing agreement to be appointed by the Board of Trade on the application of either party after notice to the other.

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

Provision as to general Tramway Acts.

26. In the case of the reconstruction or alteration by any company of any bridge carrying a public road or street over the works of such company or carrying such works over any public road or street the Council if they think fit may enter into arrangements or agreements with such company for such reconstruction or alteration to be executed in such manner as to provide for the laying down of tramways (whether authorised or in contemplation) or the reconstruction of existing tramways or the substitution of a double line for a single line of rails across or under such bridge (as the case may be) and for the working of such tramways by animal mechanical or electric power and it shall be lawful for the Council to contribute such sums as they may think fit or as may be agreed upon between the Council and such company towards the reconstruction or alteration of any such bridge.

Adaptation of bridges for tramway purposes.

27. Subject to the provisions of this Act in the lines or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections

Power to Council to make street widenings.

A.D. 1903. the Council may execute the improvements in the county of London hereinafter described viz. :—

(1) *Widenings at Scrubbs Lane and Brook Green Road.*

Widenings of Scrubbs Lane in the parish of Hammersmith—

- (A) On the western side between the county boundary and the northern side of the bridge carrying the said lane over the London and North Western Railway ;
- (B) On the eastern side thereof between the southern side of the bridge carrying that lane over the London and North Western Railway and a point 1 chain or thereabouts south of the junction of Hythe Road with that lane ;
- (C) On the western side between points respectively 1 chain and 8 chains or thereabouts south of the junction of Hythe Road with that lane ;
- (D) On the western side between points respectively 1 chain or thereabouts north and 1 chain or thereabouts south of the centre of the canal bridge known as Mitre Bridge carrying the said lane over the Grand Junction Canal ;
- (E) On the eastern side between the northern end of the said canal bridge and the southern end of the said bridge ;
- (F) On the eastern side between a point $3\frac{1}{2}$ chains or thereabouts south of the centre of the bridge carrying the said lane over the Great Western Railway (main line) and the south-eastern corner of the bridge carrying the London and North Western Railway (West London branch) over the said lane ;
- (G) On the west side between points respectively $1\frac{1}{2}$ chains or thereabouts north and 2 chains or thereabouts south of the said bridge carrying the London and North Western Railway (West London branch) over the said lane :

A widening of Brook Green Road in the said parish of Hammersmith on the east side thereof from the northern side of Hammersmith Town Hall to a point $6\frac{1}{2}$ chains or thereabouts north of the said northern side.

(2) *Widenings at Wimbledon Road and Garratt Lane (Wandsworth).*

A widening in the parishes of Wandsworth and Streatham of—

(i) Wimbledon Road—

On the northern or north-western side thereof in the parish of Wandsworth between a point 1 chain or

thereabouts north-east of the south-western end of Wimbledon Road and the north-eastern end of that road; A.D. 1903.

On the southern side in the parish of Streatham from Blackshaw Road to a point about 3 chains south-westward of that road:

- (ii) Garratt Lane on the western side thereof between the junction therewith of Wimbledon Road and a point 2 chains or thereabouts north-westward of that junction.

(3) *Widenings at Southampton Row.*

Widenings of Southampton Row in the parish of Saint George Bloomsbury—

(A) On the south-western side between Bloomsbury Place and Vernon Place;

(B) On the western side between the junction of Vernon Place with Southampton Row and a point $4\frac{1}{2}$ chains or thereabouts south of that junction.

28. Subject to the provisions of this Act the Council for the purposes and during the making of the improvements may in or upon the lands shown in connection therewith upon the deposited plans stop up or cause to be stopped up temporarily all or any part of any carriageway or footway which they shall think necessary for such purposes to be stopped up and may put or cause to be put up sufficient palisades hoardings bars posts and other erections and may construct temporary works for keeping any such carriageway and footway open for traffic and may make from time to time such orders for regulating the traffic as to them shall seem proper and they may remove and alter any drinking troughs lamp-posts and other erections upon the said lands. Power to stop up ways temporarily.

The Council shall provide reasonable access for all foot passengers bonâ fide going to or returning from any house in any street of which the carriageway or footway is stopped up under the powers of this section.

29. 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 to an extent of not exceeding three feet. Streets may be raised or lowered.

30. In making any of the works for or connected with the improvements the Council may subject to the provisions of this Deviation from line and levels.

A.D. 1903. — Act deviate to any extent from the line thereof within the limits of deviation defined on the deposited plans and the Council may subject to the provisions of this Act deviate to any extent from the levels thereof defined on the deposited sections not exceeding three feet from the levels thereof as defined on the said sections.

Power to
make sub-
sidiary works
stop up
streets &c.

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

They may—

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

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

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

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

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

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

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

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

A.D. 1903.

—
 Carriage-
 way footway
 sewers and
 other works.

33. 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.

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

Sewers or
 drains to be
 arched over
 or filled up.

A.D. 1903. 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.

35. 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 person who suffers damage by any such alteration.

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

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

Improvements to form public streets. Repair &c.

37. When and as each of the improvements or any part thereof is completed a certificate thereof shall be issued under the seal of the Council and any copy of such certificate certified under the hand of the clerk of the Council shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and from the date of such certificate so much of the improvement to which it relates as shall have been laid out for carriageway or footway shall form part of the street and may be used by the public accordingly Subject to the provisions of this Act so much of the land acquired by the Council for the widening of any street as is thrown into and used for the carriageway or footway of any street (except Southampton Row) widened under this Act shall on the completion of such widening become vested in the council of the metropolitan borough in whom the management and control of the existing street is vested and the land acquired by the Council for the widenings at Southampton

Row by this Act authorised shall remain and be vested in the Council and subject to the provisions of this Act the maintenance repair paving cleansing and lighting of each of the improvements shall be under the care management control and jurisdiction of the council of the metropolitan borough in which the improvement is situate : A.D. 1903.

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

38. The Council may sell or dispose of all building and other materials of any houses and buildings acquired by them under the powers of this Act and all lamp-posts paving metalling and materials in under or upon any road street or other place altered by them for the purposes of this Act (except any paving metalling or road materials excavated in constructing any tramway by this Act authorised) 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.

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

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

40.—(1) Subject to the provisions of this Act the Council may enter upon and take the lands described in Part I. of the First Schedule to this Act except the portions of the said lands numbered 1 and 3 on the deposited plans which are vested in the King's Majesty and under the management of the Commissioners of Woods and when the Council have acquired the lands on both sides of Pulford Terrace which they are by this Act authorised to purchase and take the Council may stop up and appropriate so much of Purchase of lands and power to erect and equip generating station.

A.D. 1903. Pulford Terrace as is shown on the deposited plans as to be stopped up.

(2) The Council may on the lands described in Parts I. and II. of the said Schedule (except the said portions of land numbered 1 and 3 as aforesaid) or on any part or parts of such lands erect maintain and use a station or stations for generating and transforming electrical energy with all necessary engines dynamos plant and machinery.

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

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

Correction of errors in deposited plans &c.

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

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

43. The Council and their surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the Council may from time to time at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards from time to time twelve hours' previous notice

enter upon and into the lands and buildings by this Act authorised to 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. A.D. 1903.

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

45. In settling any question of disputed purchase money or compensation under this Act the court or person settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the thirteenth day of May Compensation in case of recently altered buildings.

A.D. 1903. — one thousand nine hundred and two if in the opinion of such court or person the improvement alteration or building or the creation of the interest in respect of which the claim is made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Act.

As to taking of parts of certain properties.

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

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

Compensation in case of insanitary property.

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

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

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

And in the event of any such claim then on the occasion of assessing the amount of compensation payable in respect of such lands the court or person settling the same shall determine whether such lands fall wholly or in part within any of the descriptions hereinbefore mentioned and if they shall so decide then in assessing the compensation payable under this Act in respect of any such lands evidence shall be receivable by such court or person to prove—

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

(2ndly) That any house or premises are in a state of defective sanitation or are not in reasonably good repair; or A.D. 1903.

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

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

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

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

Alteration of position of water gas and other pipes.

A.D. 1903. the execution of such work and the Council shall execute such work to the reasonable satisfaction of the engineer of such company or person. Provided also that the Council shall not cause any street to be lowered or raised nor the position of any water or gas main or other pipe to be altered so as to leave over such main pipe or apparatus in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Council shall in such case protect the same pipes from frost or injury by artificial covering to the satisfaction of the engineer of such company or person or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the Council in such case provide special means of access to the same to the satisfaction of the engineer of such company or person :

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

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

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

For protection of gas and water companies.

49. If within seven days after a notice under the preceding section of this Act shall have been served upon any gas or water company that company so elect such company shall themselves execute all such alterations to their mains and pipes as may from time to time be necessary and the reasonable costs of executing

such alterations shall be repaid by the Council to such company
 Provided always that such alterations shall be carried out in
 accordance with the directions and to the reasonable satisfaction of
 the chief engineer of the Council.

A.D. 1903.5

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

Alteration of
electric lines.

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

Power to
Council to
make agree-
ments with
owners of
property &c.

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

Limitation
of time for
purchase of
lands.

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

Period for
completion of
works.

54. Any lands acquired by the Council under the powers of
 this Act except such as are required to form part of any improve-
 ment or to be permanently retained for the purposes of this Act
 and except lands on which buildings shall have been erected by the
 Council for the purposes of this Act in pursuance of the section
 of the London County Council (Tramways and Improvements) Act
 1901 (as incorporated with this Act) of which the marginal note

Council to
dispose of
lands within
a certain
period.

A.D. 1903 is "Scheme as to accommodation for persons of the labouring class displaced" shall subject to the provisions of any future Act of Parliament be sold or disposed of by the Council within a period of sixty years from the first day of September next after the passing of this Act.

Confirming
scheduled
agreement.

55. The agreement dated the twenty-eighth day of April one thousand nine hundred and three and made between the Honourable William Edward Sackville West and Cosmo Romilly of the first part the most Noble Herbrand eleventh Duke of Bedford of the second part and the Council of the third part whereof a copy is set out in the Fourth Schedule hereto is hereby confirmed and made binding upon the several parties thereto and they are hereby authorised to carry the same into effect.

Incorporat-
ing certain
provisions
of London
County
Council
(Tramways
and Im-
provements)
Act 1901
with refer-
ence to lands
&c.

56. The sections of the London County Council (Tramways and Improvements) Act 1901 of which the numbers and marginal notes are hereinafter set forth shall be deemed to be incorporated with this Act and shall extend and apply to any lands acquired by the Council under the powers of this Act and to the Council in respect thereof namely:—

Number of Section.	Marginal Note.
52	Power to lease surplus lands.
53	As to sale of ground rents.
54	Council may sell land in the first instance without having previously granted a lease thereof.
55	Council may let or exchange lands.
57	Receipts of Council to be effectual discharges.
61	Scheme as to accommodation for persons of the labouring class displaced.

Contribution
by council of
metropolitan
borough of
Hammer-
smith.

57. The council of the metropolitan borough of Hammersmith shall and they are hereby required from time to time to contribute towards the costs and expenses of the Council in relation to the widenings of Scrubbs Lane and Brook Green Road 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 one-third of the net cost thereof and the council of the said metropolitan borough 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 said council may mortgage and assign

all the moneys or rates authorised to be raised by them under the Metropolis Management Act 1855 and all the provisions of sections 183 to 189 of the last-mentioned Act as amended by any subsequent Act shall apply to any borrowing by such council under this section of this Act. A.D. 1903.
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Money borrowed by the council of the said metropolitan borough under this section shall be repaid within a period not exceeding sixty years from the date or respective dates of borrowing.

58. Separate accounts shall (if and so far as may be necessary) be kept in relation to the costs and expenses of the improvement referred to in the last preceding section of this Act and for the purpose of ascertaining the sums to be paid to the Council under the provisions of the said preceding section by the council of the metropolitan borough of Hammersmith the Council shall notwithstanding the provisions of the Metropolitan Board of Works (Loans) Act 1869 or any other Act carry to the said accounts respectively all sums of money (if any) which may from time to time be paid to the Council under the provisions of this Act on account of the said improvement whether such sums arise from the sale of materials or the sale or letting of lands or any other sums which recoup the Council part of the expenses incurred by them in carrying this Act into execution with respect to the said improvement and shall furnish to the council of the said metropolitan borough copies of the accounts relative to the said improvement. Accounts of receipts and payments.

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

A.D. 1903.
—
Money to be
raised on
capital
account.

60.—(1) The Council may expend on capital account for the purposes of this Act such money as they may from time to time think fit not exceeding four hundred and ninety-six thousand pounds and in order to raise or provide the money required for that purpose the Council may from time to time create and issue consolidated stock or resort to the Consolidated Loans Fund or otherwise raise money in accordance in each case with the provisions of the Acts for the time being in force regulating the raising of money for capital purposes by the Council :

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

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

Separate
account of
receipts and
payments
relating to
tramways.

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

Apportion-
ment of ex-
penses of
certain im-
provements.

62. The Council may if they think fit apportion the costs and expenses of the improvements or any of them in such manner as they may think proper between the improvements account and any separate account which they may keep in relation to tramways.

As to pay-
ments under
this Act.

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

Provided that so much of the said last-mentioned costs charges and expenses as may be attributable to the council of the metropolitan borough of Woolwich in respect of or in connection

with the application for and obtaining the powers by this Act conferred on that council shall be paid by that council in the same manner as expenditure incurred by that council in the exercise of such powers. A.D. 1903.

POWERS TO COUNCIL OF METROPOLITAN BOROUGH OF WOOLWICH.

64. The Woolwich Council may in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections execute the following street works and widenings in the metropolitan borough of Woolwich and county of London viz. :— Powers to council of metropolitan borough of Woolwich to widen Well Hall Road.

- (A) A widening and improvement of Well Hall Road in the parishes of Eltham Kidbrooke (detached) and Charlton commencing in the said parishes or one of them at the point of junction of the said road with Shooter's Hill Road and terminating in the said parish of Eltham at a point 1 chain or thereabouts north of the centre of the bridge carrying the Bexley Heath Railway over the said road :
- (B) A new road in the said parish of Eltham commencing at a point 1 chain or thereabouts south of the centre of the said bridge and terminating at a point 4 chains or thereabouts north of the junction of Well Hall Road with Eltham High Street :
- (C) A widening in the said parish of Eltham of Well Hall Road on the east side thereof commencing at the point of termination hereinbefore described of the said new road and terminating at Eltham High Street :

And the Woolwich Council may stop up and appropriate the site and soil of such parts of Well Hall Road as will be rendered unnecessary for the purposes of a thoroughfare by the construction of the said widenings improvement and new road.

65. The Woolwich Council may take and use for the purposes of the street works and widenings which they are by this Act authorised to execute certain lands forming part of Eltham Common in the said parishes of Eltham and Kidbrooke (detached) not exceeding in extent 2 roods 15 perches in the said parish of Eltham and 6 perches in the said parish of Kidbrooke (detached). Power to Woolwich Council to take part of Eltham Common.

66. The sections of this Act of which the numbers and marginal notes are hereinafter set forth shall mutatis mutandis Application of certain sections of

A.D. 1903.
—
this Act to
Woolwich
Council.

extend and apply to any lands acquired and to any works executed by the Woolwich Council under the powers of this Act and to that council in respect thereof as if that council had been referred to in the said sections instead of the Council and as if the expression "the improvements" were used in the said sections referred to the works which the Woolwich Council are authorised to execute under the powers of this Act :—

Number of Section.	Marginal Note.
29	Streets may be raised or lowered.
30	Deviation from line and levels.
31	Power to make subsidiary works stop up streets &c.
32	Carriageway footway sewers and other works.
33	Directing how the pavement shall be laid and made.
34	Sewers or drains to be arched over or filled up.
35	Power to alter steps areas pipes &c.
38	Power to sell materials.
39	Power to take lands.
41	Power to certain persons to grant easements &c. by agreement.
42	Correction of errors in deposited plans &c.
43	Power to Council to enter upon property for survey and valuation.
44	Costs of arbitration &c. in certain cases.
45	Compensation in case of recently altered buildings.
48	Alteration of position of water gas and other pipes.
49	For protection of gas and water companies.
51	Power to Council to make agreements with owners of property &c.
52	Limitation of time for purchase of lands.
53	Period for completion of works.

Owners may be required to sell parts only of certain lands and buildings.

67. And whereas in the execution of the works authorised by this part of this Act or otherwise in exercise of the powers of this part of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in the Third Schedule to this Act and whereof parts only are required for the purposes of this part of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Woolwich Council the portions only of the premises so required without the Woolwich Council being obliged or compellable to

purchase the whole or any greater portion thereof the Woolwich Council paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise. A.D. 1903.
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68. If the Woolwich Council shall stop up and appropriate the site of any part of Well Hall Road the Woolwich Council shall pay to the company of proprietors of the Kent Waterworks such a sum not exceeding eight hundred pounds as shall represent the reasonable cost and expense of removal of the water main of the company from the part or parts so stopped up and appropriated and providing a new main in the substituted road after deducting from such cost and expense an amount equivalent to seventy-five per centum of the cost of any new pipes used in laying such new main Any difference which may arise between the Woolwich Council and the company with reference to the amount of such costs and expenses shall be decided by a single arbitrator to be agreed upon between the parties or failing agreement to be appointed on the application of either party by the President of the Institution of Civil Engineers for the time being and the arbitration shall be under and subject to the provisions of the Arbitration Act 1889. For protec-
tion of Kent
Waterworks
Company.

69. For the protection of the South Eastern Railway Company and the South Eastern and Chatham Railway Companies' Managing Committee (hereinafter in this section together referred to as "the railway company") the following provisions shall unless otherwise agreed between the Woolwich Council and the railway company apply and have effect (that is to say):— For protec-
tion of
South East-
ern Railway
Company
and South
Eastern and
Chatham
Railway
Companies'
Managing
Committee.

- (1) The Woolwich Council shall not without the previous consent in writing of the railway company under their common seal enter upon take or use any land or property belonging to the railway company :
- (2) The Woolwich Council shall construct from the new road in the parish of Eltham hereinbefore referred to an approach road (hereinafter referred to as "the new approach road") in a straight line unless otherwise agreed and in a northerly direction thirty feet in width including a six feet tar-paved footpath on the western side thereof so as to form a connection at the site of the present Well Hall Road with the existing approach road from such last-mentioned thoroughfare to the Well Hall Station of the railway company and be continuous with the same :

A.D. 1903.

- (3) The new approach road shall be constructed to the best possible gradient the levels will allow and the roadway thereof shall be made up with hard core to a depth of nine inches with a granite surface four inches in depth and the Woolwich Council shall provide a lamp for lighting the new approach road and hand over to the railway company the existing lamp at the entrance to the existing approach road The lamp for lighting the new approach road shall be lighted and maintained at the expense of the Woolwich Council The fences shall be of the same character as those at present bounding the existing approach road :
- (4) The new approach road shall be constructed kerbed channelled and lighted as aforesaid to the satisfaction in all things of the engineer of the railway company but at the expense in all respects of the Woolwich Council and a paved crossing of the width of the goods yard gate shall be provided at the entrance to the goods yard :
- (5) The Woolwich Council shall widen and reconstruct the existing approach road so as to be of the same character in all respects and of the same width as the new approach road and they shall for that purpose set back the fence on the eastern side of the existing approach road making the same good where necessary.

Borrowing
powers to
Woolwich
Council.

70. It shall be lawful for the Woolwich Council to borrow such sums of money not exceeding in the whole twenty-seven thousand two hundred pounds as may be required by them for the purposes of this Act and for the purpose of securing the repayment with interest of any such money the said Council may mortgage and assign all the moneys or rates authorised to be raised by them under the Metropolis Management Act 1855 and all the provisions of sections 183 to 189 of the last-mentioned Act as amended by any subsequent Act shall apply to any borrowing by the said Council under this section of this Act.

Money borrowed by the Woolwich Council for payment of the proportion payable by them of the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be repaid within a period not exceeding five years (in the event of the Council sanctioning a loan for such purpose) and all other moneys borrowed by the Woolwich Council under this section shall be repaid within a period not exceeding sixty years from the date or respective dates of borrowing.

71.—(1) The Woolwich Council shall not purchase acquire or appropriate under any of the powers or for any of the purposes of this Act twenty or more houses or sites of houses in the metropolitan borough of Woolwich which at any time within five years before the passing of this Act have been or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. A.D. 1903.
Restriction
on taking
houses of
labouring
class by
Woolwich
Council.

(2) If the Woolwich Council purchase acquire or appropriate any house or site under the powers of this Act or for any of the purposes of this Act in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds for every such house or site 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.

(3) For the purposes of this section the expression “house” means any house or part of a house occupied as a separate dwelling and the expression “labouring class” means mechanics artisans labourers and others working for wages hawkers cestermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

72. Nothing in this Act affects prejudicially any right power privilege or exemption of the Crown. Crown
rights.

A.D. 1903. The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

LANDS FOR GENERATING STATION.

PART I.

(A) Lands in the parish of Saint George Hanover Square in the county of London forming part of the site of the Pimlico Gasworks lying between Pulford Street and the King's Scholars Pond sewer bounded on part of the north-east by lands (also forming part of the site of the said gasworks) belonging or reputed to belong to the Council on the west and part of the north-west and south-west by the rear of premises in Pulford Street on other part of the north-west and south-west and on the south and part of the south-east by Pulford Street on other part of the south-west by Pulford Terrace on other part of the south-east by Grosvenor Road on other part of the north-east and south-east by the side and rear of premises in Grosvenor Road on other part of the north-east by the roadway leading from Grosvenor Road to the site of the said gasworks. The said lands comprise part of the site of the said gasworks and the premises numbered 1 to 35 (both inclusive) in Pulford Street 1 to 5 (both inclusive) in Pulford Terrace and 80 and 81 in Grosvenor Road.

(B) Lands in the said parish bounded on the north-west by Grosvenor Road on the south-east by the River Thames on the north-east by lands belonging or reputed to belong to the Council and on the south-west by the building and premises comprising Cameron's coal wharf and extending for a distance of $3\frac{1}{2}$ chains or thereabouts measured in a north-easterly direction along Grosvenor Road from a point opposite the centre of Pulford Street at its junction with that road.

(C) Lands in the parish of Saint John the Evangelist Westminster and county of London bounded on the south-west by the King's Scholars Pond sewer and on the north-east by the rear of premises on the south-western side of Bessborough Place and extending along the said sewer from the southern side of Lupus Street to a point $7\frac{1}{2}$ chains or thereabouts measured in a south-easterly direction from the said southern side of Lupus Street.

PART II.

1. Lands in the said parish of Saint George Hanover Square belonging or reputed to belong to the Council forming part of the site of the said

gasworks bounded on the north by Lupus Street on the north-east by the King's Scholars Pond sewer on the south-east by Grosvenor Road and on the south-west in part by Pulford Street and in other part by the lands described in paragraph (A) of Part I. of this schedule and the roadway leading from Grosvenor Road to the site of the said gasworks. A.D. 1903.

2. Lands in the same parish bounded on the north-west by Grosvenor Road on the south-west by the lands described in paragraph (B) of Part I. of this schedule on the north-east by other lands in Grosvenor Road and on the south-east by the River Thames and extending from a point opposite the entrance from Grosvenor Road to the site of the said gasworks to a point 1 chain or thereabouts measured in a north-easterly direction from the said point.

THE SECOND SCHEDULE.

DESCRIPTION OF PROPERTIES OF WHICH PORTIONS ONLY ARE REQUIRED TO BE TAKEN BY THE COUNCIL.

Improvement.	Parish.	No. on Plan and in Book of Reference.	Description.	Describing Part to be taken.
Widenings of Scrubbs Lane	Hammersmith	1	Part of garden - -	So much as is within the line marked on the deposited plans as "limits of deviation."
		6	Part of cemetery and roadway	
		7 8 9 10 11 12	Forecourts - -	
		13 14		
		15	Passage - - -	
		16 17 18 19 20	Forecourts - -	
		21 22 23 24		
		25 26 27 28		
		29 30 31 32		
		33 34 35 36		
		37 38 39 40		
		41		
		42	Part of stone-yard and land	
		43	Part of office and yard	
47	Land and shed - -			
56	Garden ground - -			
Widenings of Wimbledon Road	Wandsworth -	1	Yard - - -	
		3	Land - - -	
		4	Part of garden - -	
		5	Land - - -	

A D. 1903.

THE THIRD SCHEDULE.

DESCRIPTION OF PROPERTIES OF WHICH PORTIONS ONLY ARE
REQUIRED TO BE TAKEN BY THE WOOLWICH COUNCIL.

Improvement	Parish.	No. on Plan and in Book of Reference.	Description.	Describing Part to be taken.
Widening of Well Hall Road.	Eltham	30	Land - - -	} So much as is with- in the line marked on the deposited plans as "limits of deviation."
		31	Part of garden - - -	
		32	Part of garden and wall - - -	
		42	Allotment gardens - - -	
		46	Garden plantation and land - - -	

THE FOURTH SCHEDULE.

MEMORANDUM OF AGREEMENT made this twenty-eighth day of April one thousand nine hundred and three between the Honourable WILLIAM EDWARD SACKVILLE WEST of Basil Mansions Belgravia in the County of London a Lieutenant-Colonel (retired) in His Majesty's Regiment of Grenadier Guards and COSMO ROMILLY of Number 25 Old Broad Street in the City of London Esquire (trustees of the will dated the seventh day of May one thousand eight hundred and sixty-one and with two codicils thereto proved on the thirty-first day of July one thousand eight hundred and sixty-one of the Most Noble FRANCIS SEVENTH DUKE OF BEDFORD deceased and hereinafter called "the Trustees") of the first part The Most Noble HERBRAND ELEVENTH DUKE OF BEDFORD K.G. the present tenant for life in possession under the said will and hereinafter called "the Duke" of the second part And THE COUNTY COUNCIL of the Administrative County of London (hereinafter called "the Council") of the third part.

1. The Trustees in exercise of the power for that purpose in the said will contained and with the consent of the Duke agree to sell and the Council agrees to purchase for the sum of 46,000*l.* the inheritance in fee simple subject to the leases mentioned in the second column of the schedule hereto

but free from all other incumbrances of all those pieces of land situate on the south-west side of Southampton Row in the county of London and coloured pink on the plan hereto annexed Together with the messuages and buildings thereon described in the third column of the said schedule. A.D. 1903.

2. The Council shall enter into possession of or into receipt of the rents and profits of the properties contracted to be sold immediately after the execution hereof and shall as from the date hereof be liable for all outgoing and the rents profits and outgoing shall be apportioned for the purposes of this provision and the Council shall upon completion pay to the Trustees their proportion of the current rents less their proportion of the current outgoing.

3. The Council shall pay to the Trustees at the time of the completion of the purchase interest on the said sum of 46,000*l.* after the rate of 4 per cent. per annum from the date hereof to the day of the date of the said completion.

4. The entry of the Council upon the property shall not be deemed to be an acceptance of the Trustees' title.

5. The property is sold subject to all chief quit and other rents and outgoing and to all incidents of tenure rights of way lights drainage and other easements (if any) affecting the same and all rights of owners of adjacent super-adjacent or sub-adjacent property in respect of party or other walls fences arches archways vaults cellars rights of support or any other matters and subject also to the aforesaid leases and tenancies The Trustees and the Duke shall not be under any obligation to define such incidents of tenure easements and rights as aforesaid except so far as they may be within their or his actual knowledge.

6. The title to all the property shall commence with the aforesaid will and codicils of the said Francis Seventh Duke of Bedford deceased and the Council shall admit that such testator died seized thereof for an unincumbered estate of inheritance in fee simple in possession and that the property passed under the general devise contained in the said will.

7. The property is believed and shall be taken to be correctly described herein and in the said schedule and plan and if any error be discovered the same shall not annul this agreement or entitle the Council or the Trustees or the Duke to any compensation in respect thereof.

8. The identity of the property with that described in the muniments offered as the title thereto shall be admitted but the Council shall be entitled to be furnished at their own expense if required by the Trustees with a declaration by some competent person that the property has been held in accordance with the title shown for twenty years past.

9. Upon payment of the purchase money and all other moneys payable by the Council hereunder the Trustees with the consent of the Duke shall execute a proper assurance of the property to the Council such assurance to

A.D. 1903. — be prepared by and at the expense of the Council and to contain a covenant by the Council for the performance of such of the stipulations on its part herein contained as shall then remain unperformed.

10. As soon as the Council shall have obtained vacant possession of Number 7 Vernon Place known as the Albion Public House and of Number 51 Southampton Row known as the Red Lion Public House both of which are mentioned in the schedule hereto the Council shall allow the licences for the sale of wine beer spirits and tobacco appurtenant to or held in connection with the said respective premises to lapse.

11. The Trustees and the Duke shall from the date of this Agreement stand possessed of any existing policies of insurance against fire (subject to the consent of the insurance offices which shall be obtained by the Council) upon trust for the Council and the Council shall upon completion pay to the Trustees or the Duke as the case may be a proper proportion of all current premiums as from the date hereof and all premiums hereafter to become due and which at the request of the Council may be paid by the Trustees or the Duke.

12. So soon as the Council shall have acquired the interests of all the lessees and tenants under the leases mentioned in the schedule hereto and shall have obtained vacant possession of the whole of the property and shall have completed the widening of Southampton Row contemplated by the Bill hereinafter referred to the Council shall resell to the Trustees and the Duke and the Trustees and the Duke shall repurchase from the Council so much of the property as shall remain vested in the Council and shall not form part of Southampton Row so widened as aforesaid for an estate of inheritance in fee simple in possession free from incumbrances at a price to be agreed upon between the Trustees and the Duke on the one part and the Council on the other part by their respective agents or in the event of disagreement to be fixed by an umpire appointed in the usual way as provided by the Lands Clauses Consolidation Act 1845 and the Trustees and the Duke shall accept such title thereto as the Council shall have been advised to accept.

13. The Council shall on completion of the purchase pay a sum of 160*l.* which is as against the Council to cover all costs and expenses as well of the Trustees as of the Duke of and incidental to the sale and purchase hereinbefore provided for and shall also pay the sum of 255*l.* 3*s.* for the fees of the surveyors of the Trustees and the Duke in relation to the said sale and purchase.

Lastly. The Council shall cause to be introduced into the Bill which has been already prepared and deposited by the Council and which if passed into law by Parliament is intended to be cited as the London County Council (Tramways and Improvements) Act 1903 and (with the assistance of the Trustees and the Duke) use their best efforts that the same shall pass into law a clause or clauses confirming this agreement and authorising the several parties hereto to carry into full effect the stipulations and agreements on their part respectively herein contained.

This Agreement is subject to approval by Parliament and to the Standing Order of the House of Lords enabling alterations to be made therein by Parliament but if the alterations so made are in the opinion of either party to this Agreement material either party may decline to proceed with this Agreement.

The SCHEDULE above referred to.

Tenant's Name.	Particulars of Letting.	Description of Property.
Hugh Welch Cooper's trustees.	On lease for a term of 80 years from the 24th day of June 1856 at a rent of 20 <i>l.</i> per annum.	No. 9 Vernon Place.
John Fraser - -	On lease for a like term at a like rent.	No. 8 ditto.
John Hart - -	On lease for a term of 80 years from the 25th day of March 1863 at a rent of 4 <i>l.</i> per annum.	Nos. 6 and 7 Vernon Place.
Thomas Hoade Woods	On lease for a term of 80 years from the 29th day of September 1860 at a rent of 20 <i>l.</i> per annum.	"The Albion" P.H. No. 37 Southampton Row.
Ditto - - -	On lease for a like term at a like rent.	No. 39 ditto.
Henry Hansard and George Lyall trustees under the will of Nicholas Winsland deceased.	On lease for a term of 80 years from the 29th day of September 1848 at a rent of 15 <i>l.</i> per annum.	No. 41 ditto.
Ditto - - -	On lease for a like term at a like rent.	No. 43 ditto.
George Barnard Daniel Leggatt Horatio Ravenscroft and Charles Wetherill.	On lease for a term of 80 years from the 24th day of June 1834 at a rent of 10 <i>l.</i> per annum.	No. 45 ditto.
James Stent - -	On lease for a like term at a like rent.	No. 47 ditto.
Ditto - - -	On lease for a like term at a rent of 13 <i>l.</i> per annum.	No. 49 ditto.
Moy - - -	On lease for a like term at a rent of 35 <i>l.</i> per annum.	No. 51 ditto.
George Thompson -	On lease for a like term at a rent of 13 <i>l.</i> per annum.	"The Red Lion" P.H. No. 53 Southampton Row.
James Stent - -	On lease for a like term at a like rent.	No. 55 ditto.
Ditto - - -	On lease for a like term at a like rent.	No. 57 Southampton Row.
H. A. Thomson - -	On lease for a like term at a rent of 15 <i>l.</i> per annum.	No. 59 ditto.
Thomas George Laugham.	On lease for a like term at a rent of 13 <i>l.</i> per annum.	No. 61 ditto.
Ditto - - -	On lease for a like term at a rent of 15 <i>l.</i> per annum.	No. 63 ditto.
H. Parker - - -	On lease for a term of 21 years from the 25th day of March 1890 at a rent of 100 <i>l.</i> per annum.	No. 7 Bloomsbury Place.
In hand - - -	Premises pulled down - - -	Nos. 1 and 2 Redcar Yard.

A.D. 1903.

Tenant's Name.	Particulars of Letting.	Description of Property.
John Thomas Gow	On lease for a term of 7 years from the 25th day of March 1897 at a rent of 90 <i>l.</i> per annum.	Nos. 3 and 4 Redcar Yard.
I. S. Lyon	On lease for a like term at a rent of 45 <i>l.</i> per annum. Land and courtway known as Redcar Yard subject to any lessees or tenants rights thereover.	No. 5 ditto.

Signed in the presence of—

JAS. W. MARCHANT
Bedford Office.ALFRED R. O. STUTFIELD
Agent for the DUKE and
the TRUSTEES.

(Signed) ANDREW YOUNG

Valuer and Agent of the
London County Council.

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