

**CHAPTER xcvi.**

An Act to empower the Metropolitan Water Board to A.D. 1913.
make waterworks and other works and to acquire lands
and for other purposes. [15th August 1913.]

WHEREAS the Metropolitan Water Board (in this Act referred to as "the Board") are charged with the duty of supplying water within an area which comprises the whole of the county of London and parts of the counties of Middlesex Surrey Kent Essex and Hertford:

And whereas it is expedient that the Board should be empowered to construct the waterworks and other works and acquire the lands herein-after referred to:

And whereas by the Metropolitan Water Board (New Works) Act 1911 it is provided (inter alia) that the Board shall bear the costs and expenses incurred by the Sunbury-on-Thames Urban District Council and the Staines Rural District Council respectively in the purchase of lands for widening and in widening and reconstructing up to a width of thirty feet so much of Littleton Lane and Charlton Road as is within the districts of those councils respectively: 1 & 2 Geo. 5.
c. cxviii.

And whereas it has been agreed between the Board and the Staines Rural District Council that in lieu of widening as aforesaid so much of Littleton Lane as is in the district of that council the said council shall divert a portion of the said lane:

And whereas it is expedient that powers should be conferred upon the said Sunbury-on-Thames Urban District Council for the purchase of lands for the purposes of such widening as aforesaid and upon the said Staines Rural District Council for the execution of the said road diversion and the purchase

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A.D. 1913. of lands therefor as by this Act provided and that the other provisions herein-after contained with respect to those matters should be made :

59 & 60 Vict.
c. ccxxix. And whereas by the New River Company's Act 1896 the Governor and Company of the New River brought from Chadwell and Amwell to London (in this Act referred to as "the New River Company") were empowered to construct certain waterworks and to acquire or use compulsorily lands for the purposes thereof but the periods within which such powers were authorised to be exercised have expired and it is expedient that the powers with regard to such of the said waterworks as are referred to in this Act and to such of the said lands as are required for the purposes thereof should be revived and that the Board as successors of the New River Company should be empowered to exercise the same as by this Act provided :

63 & 64 Vict.
c. ccxii. And whereas by the East London Waterworks Act 1900 the East London Waterworks Company were empowered to construct certain waterworks and to acquire or use compulsorily lands for the purposes thereof :

6 Edw. 7.
c. lxxxvii. And whereas the Board as successors of the said East London Waterworks Company are in possession of the lands required for the said last-mentioned waterworks but the time now limited for the completion of certain of those waterworks as extended by the Metropolitan Water Board Act 1906 is about to expire and the period within which the said East London Waterworks Company were authorised to complete certain other of the said waterworks has expired :

And whereas it is expedient that the time for completion of works which is about to expire as herein-before mentioned should be further extended and that the powers for constructing such of the said waterworks authorised by the said East London Waterworks Act 1900 as are referred to in this Act in respect of which the period for completion has expired should be revived and that the Board as such successors as last aforesaid should be authorised to exercise the said powers :

And whereas it is expedient that the Board should be empowered to borrow money for the purposes of this Act and for the general purposes of their undertaking :

And whereas the Board are by the Metropolis Water Act 1902 (herein-after referred to as "the Act of 1902") directed

to establish a fund (herein-after referred to as "the water fund") and to carry to that fund all receipts of the Board and to make out of that fund all payments by the Board: A.D. 1913.

And whereas it is provided by section 15 of the Act of 1902 that any sum required to meet any deficiency in the water fund whether for satisfying past or future liabilities in any financial year shall be apportioned in manner provided by the said section amongst the city of London and the metropolitan boroughs in the county of London and the municipal boroughs and urban districts outside London the councils of which are for the time being entitled to be represented on the Board and that the Board shall issue precepts for the sums so apportioned to the common council of the said city and to the respective councils of the said metropolitan and other boroughs and urban districts and such councils are by the said section required to pay to the Board the amount specified in the precept (A) in the case of the said city out of the consolidated rate (B) in the case of a metropolitan borough as part of the expenses incurred by the council thereof and (c) in the case of a municipal borough or urban district out of the fund or rate out of which the expenses of the council thereof incurred in the execution of the Public Health Acts are payable:

And whereas the amount of the payments by the Board on revenue account out of the water fund has in respect of the financial year ending on the thirty-first day of March one thousand nine hundred and twelve and in respect of each of the three financial years immediately preceding that year exceeded the amount of the receipts of the Board on revenue account carried to that fund:

And whereas the Board desire to issue precepts for the amounts apportioned to the said city and to the said several boroughs and districts respectively of the sum of two hundred and nine thousand five hundred and seventy-two pounds thirteen shillings and threepence being the amount of the aggregate deficiency in respect of the said four financial years but doubts have been raised by certain of the authorities liable under the Act of 1902 to contribute to deficiencies in the water fund as to the power of the Board to issue such precepts as last aforesaid and as to the power of those authorities to pay out of the fund or rate or as part of the expenses referred to in the said

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A.D. 1913. section 15 of the Act of 1902 as herein-before mentioned the amounts required by such precepts respectively to be paid:

And whereas it is expedient that for the removal of such doubts the provisions contained in this Act with respect to the said aggregate deficiency should be enacted:

And whereas it is expedient that such further powers should be conferred upon the Board and that such further provisions should be made as are contained in this Act:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and of the works authorised by the said New River Company's Act 1896 for the construction of which powers are revived by this Act and plans showing the lands required or which may be taken for the purposes or 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 the said lands were duly deposited with the several clerks of the peace for the counties of London Middlesex Kent and Surrey and are in this Act respectively referred to as the deposited plans sections and book of reference:

May it therefore please Your Majesty that it may be enacted and be it enacted by the 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):—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Metropolitan Water Board Act 1913.

Division of Act into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Works &c.

Part III.—Lands.

Part IV.—Revival of Powers and Extension of Time

Part V.—Powers to Sunbury-on-Thames Urban District Council and Staines Rural District Council. A.D. 1913.

Part VI.—Financial Provisions.

Part VII.—Miscellaneous Provisions.

3. The following Acts and parts of Acts are incorporated with this Act namely:—

Incorpora-
tion of
general Acts.

(A) The Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845 and the words “with two sufficient sureties to be approved of by two justices in case the parties differ” in section 85 of that Act):

(B) So far as regards the provisions of this Act other than those relating to the railways by this Act authorised and to the powers by this Act conferred upon the Sunbury-on-Thames Urban District Council and the Staines Rural District Council—

The provisions of the Waterworks Clauses Act 1847 with respect to the following matters (that is to say):—

The construction of the waterworks;

The construction of works for the accommodation of lands adjoining the waterworks;

The breaking up of streets for the purpose of laying pipes;

The provision for guarding against fouling the water of the undertakers;

The recovery of damages not specially provided for and of penalties and the determination of any other matter referred to justices or to the sheriff; and

Access to the special Act; and

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof:

(C) So far as regards the provisions of this Act relating to the said railways—

The Railways Clauses Consolidation Act 1845 (except sections 25 to 29 47 48 61 62 87 to 107

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and 115 to 125 of that Act and so much of section 86 thereof as follows the words "propelled thereby") and Part I. (relating to construction of a railway) of the Railways Clauses Act 1863 except section 6 of the last-mentioned Act:

Provided that for the purposes of the said section 85 of the Lands Clauses Consolidation Act 1845 as incorporated with this Act the Board shall be deemed to be a railway company and section 36 (except paragraph (4) thereof) of the Railway Companies Act 1867 shall apply accordingly.

Incorporation and application of Waterworks Clauses Act 1863.

4. The Waterworks Clauses Act 1863 (except section 12 of that Act and the words "under any agreement for the supply of water for other than domestic purposes" in section 13 of the said Act) is incorporated with this Act and shall extend and apply to the undertaking of the Board and to all the waterworks of the Board existing at the date of the passing of this Act or to be constructed by the Board under the powers of this or any previous Act.

Interpretation.

5.—(1) The several words and expressions to which by the Acts wholly or partially incorporated with this Act meanings are assigned shall in this Act have the same respective meanings unless there be something in the subject or context repugnant to such construction Provided that—

(A) in and for the purposes of Part V. of this Act the expressions "the undertakers" or "the promoters of the undertaking" used in the Lands Clauses Acts shall mean the Sunbury-on-Thames Urban District Council or the Staines Rural District Council as the case may require; and

(B) in and for the purposes of all other provisions of this Act the expressions "the undertakers" or "the promoters of the undertaking" or "the company" used in the Acts wholly or partially incorporated with this Act shall mean the Board:

Provided also that for the purposes of the incorporated provisions of the Railways Clauses Consolidation Act 1845 as applying to the works by this Act authorised other than the railways such works shall be deemed to be the railway and the centre lines of the embankments shown on the deposited plans of such of the said works as consist of reservoirs and

the centre lines of the remainder of the said works shown on the said plans shall respectively be deemed to be the centre of the railway. A.D. 1913.

(2) In this Act unless the subject or context otherwise require—

“The Board” means the Metropolitan Water Board;

“The railways” means the railways and works connected therewith by this Act authorised;

“The Act of 1902” means the Metropolis Water Act 1902;

“The water fund” means the water fund established by the Board under the Act of 1902;

“The Sunbury Council” and “the Staines Council” mean respectively the Sunbury - on - Thames Urban District Council and the Staines Rural District Council.

6. The provisions of sections 18 to 23 of the Railways Clauses Consolidation Act 1845 shall for the purposes of the provisions of this Act relating to the railways extend and apply to the water and gas mains pipes and apparatus of any local authority and shall be construed as if “local authority” were mentioned in those sections in addition to “company or society” Provided that any penalties recovered under the said section 23 shall be appropriated to that fund of the local authority to which their revenues in respect of water or gas (as the case may be) are appropriated. Protection of gas and water mains of local authorities.

PART II.

WORKS &C.

7. Subject to the provisions of this Act the Board may make and maintain in the lines and situations and upon the lands delineated upon the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections the waterworks herein-after described (that is to say):— Power to make water-works.

A conduit cut or line or lines of pipes (Conduit No. 1) wholly in the county of Middlesex commencing in the parish of Laleham by a junction with Conduit No. 22 authorised by the Metropolitan Water Board (New Works) Act 1911 at a point on the southern side of the existing Staines Aqueduct of the Board and within the fences of that aqueduct and terminating in the parish of Sunbury

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by a junction with an existing pipe of the Board near the distribution reservoir at the termination of the said Staines Aqueduct;

A conduit cut or line or lines of pipes (Conduit No. 2) wholly in the said county of Middlesex commencing in the said parish of Sunbury on the northern side of the said Staines Aqueduct and within the fences of that aqueduct by a junction with Conduit No. 1 by this Act authorised and terminating in the parish of Hanworth in the field numbered on the $\frac{1}{2500}$ scale Ordnance map 2nd edition 1895 (Middlesex Sheet XXV. 1) 156 in that parish;

A conduit cut or line or lines of pipes (Conduit No. 3) wholly in the said parish of Hanworth and county of Middlesex commencing in the field numbered on the Ordnance map lastly herein-before referred to 150 in that parish and terminating within the premises of the existing Kempton Park pumping station of the Board in that parish in a pumping station proposed to be constructed by the Board;

An aqueduct or line or lines of pipes (Aqueduct No. 1) wholly in the said county of Middlesex commencing in the said parish of Hanworth within the premises of the said existing pumping station in that parish and in the said proposed pumping station and terminating in the parish of Willesden in an engine and pump house now in process of construction in the premises of the existing Cricklewood pumping station of the Board;

An aqueduct or line or lines of pipes (Aqueduct No. 2) wholly in the parish of Greenford and county of Middlesex commencing in the field numbered on the $\frac{1}{2500}$ scale Ordnance map 2nd edition 1896 (Middlesex Sheet XV. 7) 77 in that parish by a junction with Aqueduct No. 1 by this Act authorised and terminating in the Reservoir No. 9 authorised by the said Metropolitan Water Board (New Works) Act 1911;

An aqueduct or line or lines of pipes (Aqueduct No. 3) wholly in the said parish of Greenford and county of Middlesex and in Coston Lane commencing by a junction with Aqueduct No. 2 by this Act authorised and terminating by a junction with the River Brent at the

point at which the said lane meets that river due north of Greenford Bridge; A.D. 1913.

An aqueduct or line or lines of pipes (Aqueduct No. 4) wholly in the metropolitan borough of Woolwich in the county of London commencing in the parish of Woolwich in Woolwich Road and terminating in the parish of Eltham in the field numbered on the $\frac{1}{2500}$ scale Ordnance map 2nd edition 1897 (Kent Sheet II. 14) 456 in that parish in a pumping station proposed to be constructed by the Board in that field;

An aqueduct or line or lines of pipes (Aqueduct No. 5) wholly in the said parish of Eltham and county of London commencing in Well Hall Road by a junction with an existing aqueduct of the Board in that road and terminating in the wood known as Castle Wood in the said parish in Reservoir No. 1 by this Act authorised;

An aqueduct or line or lines of pipes (Aqueduct No. 6) wholly in the said metropolitan borough of Woolwich and county of London commencing in the said parish of Eltham in the said proposed pumping station referred to in the foregoing description of Aqueduct No. 4 and terminating in the parish of Plumstead by a junction with an existing aqueduct of the Board in Dover Road;

An aqueduct or line or lines of pipes (Aqueduct No. 7) wholly in the said parish of Eltham and county of London commencing in the said wood known as Castle Wood by a junction with Aqueduct No. 6 by this Act authorised and terminating in the said Reservoir No. 1 by this Act authorised;

A service reservoir (Reservoir No. 1) wholly in the said parish of Eltham and county of London situate in the said wood known as Castle Wood;

An aqueduct or line or lines of pipes (Aqueduct No. 8) commencing in the county of Kent in the parish of Westerham in the existing pumping station of the Board in the said parish and terminating in the said county of Kent in the parish of Knockholt in a private road numbered on the $\frac{1}{2500}$ scale Ordnance map edition of 1909 (Kent Sheet XXVIII. 11) 352 in that parish by a junction with an existing aqueduct of the Board in the said road;

An aqueduct or line or lines of pipes (Aqueduct No. 9) wholly in the said parish of Westerham and county of

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Kent commencing by a junction with Aqueduct No. 8 by this Act authorised and terminating in Reservoir No. 2 by this Act authorised ;

A service reservoir (Reservoir No. 2) wholly in the said parish of Westerham and county of Kent situate in the said inclosure numbered on the $\frac{1}{2500}$ scale Ordnance map edition of 1909 (Kent Sheet XXVIII. 13) 924A in that parish ;

An aqueduct or line or lines of pipes (Aqueduct No. 10) wholly in the said parish of Westerham and county of Kent commencing in the said existing pumping station of the Board in that parish and terminating in Reservoir No. 3 by this Act authorised ;

A service reservoir (Reservoir No. 3) wholly in the said parish of Westerham and county of Kent and situate in the inclosure numbered on the $\frac{1}{2500}$ scale Ordnance map edition of 1909 (Kent Sheet XXXIX. 1) 911A in that parish.

Subsidiary
works in con-
nexion with
waterworks.

8. Subject to the provisions of this Act the Board may in connexion with and as part of the works referred to in the section of this Act of which the marginal note is "Power to make waterworks" make and maintain upon or in any lands within the limits of deviation for the said works respectively shown on the deposited plans all such intakes outfalls cuts channels catchwaters aqueducts culverts tunnels shafts adits sewers drains pipes junctions sluices by-washes weirs gauges sumps tanks filter-beds filters embankments dams retaining walls bridges roads approaches telegraphic and telephonic apparatus electrical cables engines pumps machinery buildings tramroads aerial ropeways tramways lifts and other works apparatus and appliances as may be necessary or convenient whether for constructing inspecting maintaining repairing cleansing managing working and using the said works or for the general purposes of their undertaking.

Any telegraphic or telephonic apparatus made or maintained by the Board under this section shall not be used in contravention of the exclusive privilege conferred upon the Postmaster-General by the Telegraph Act 1869 and any electrical cables machinery or apparatus made or maintained by the Board shall be constructed and used in such manner as to prevent any interference with telegraphic communication by means of any telegraphic line of the Postmaster-General.

9. It shall be lawful for the Board at any point outside their limits of supply to make maintain and use junctions connexions and communications between all or any of the works referred to in the section of this Act of which the marginal note is "Power to make waterworks" and any mains pipes conduits aqueducts culverts and other works of the Board made or to be made :

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Power to Board to make junctions &c.

Provided that the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall apply to the making maintenance and use of any such junctions connexions or communications in any street.

10. The Board may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works in the county of Middlesex herein-after described (that is to say):—

Power to Board to make wharf or landing stage and railways.

A wharf or landing-stage in the parish of Hampton on the northern bank of the River Thames ;

A railway (Railway No. 1) (2 miles and 5 chains or thereabouts in length) commencing in the said parish of Hampton at a point on the northern bank of the River Thames 8 chains or thereabouts measured in an easterly direction along the said bank from the south-eastern corner of the public wharf to which access is obtained from the road known as the Lower Sunbury Road in that parish and terminating in the parish of Hanworth near the existing Kempton Park pumping station of the Board in that parish ;

A railway (Railway No. 2) (2 furlongs 6·5 chains or thereabouts in length) wholly in the said parish of Hampton commencing by a junction with Railway No. 1 by this Act authorised at a point 8 chains or thereabouts measured in a north-easterly direction from the south-eastern corner of the public wharf herein-before referred to and terminating at or near the easternmost engine-house of the Board at their Hampton works ;

A railway (Railway No. 3) (8 chains or thereabouts in length) wholly in the said parish of Hampton commencing by a junction with the said Railway No. 1 in the private road numbered on the $\frac{1}{2500}$ scale Ordnance map 2nd

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edition 1896 (Middlesex Sheet XXV. 6 and 10) 182 in that parish and terminating at or near the westernmost engine-house of the Board at their Hampton works adjoining the road known as the Upper Sunbury Road ;

A railway (Railway No. 4) (1 furlong 2 chains or thereabouts in length) wholly in the said parish of Hampton commencing by a junction with Railway No. 3 by this Act authorised in the said private road numbered 182 in that parish and terminating at or near the engine-house of the Board adjoining the north-western side of the Lower Sunbury Road at its junction with the Upper Sunbury Road in the said parish ;

A railway (Railway No. 5) (1 furlong 8·5 chains or thereabouts in length) wholly in the said parish of Hanworth commencing by a junction with the said Railway No. 1 at a point 12 chains or thereabouts south-eastward of the boiler-house of the existing Kempton Park pumping station of the Board in that parish and terminating at the western end of the existing sidings of the Board at the said pumping station ;

A railway (Railway No. 6) (1 furlong 3·5 chains or thereabouts in length) wholly in the said parish of Hanworth commencing by a junction with Railway No. 5 by this Act authorised near the boiler-house herein-before referred to and terminating at the northern boundary of the Thames Valley Line of the London and South Western Railway Company at a point 8 chains or thereabouts measured along the said boundary in an easterly direction from the centre of the brook which passes under the said line eastward of and adjacent to Kempton Park Station.

Subsidiary works in connexion with railways and wharf or landing stage.

11. Subject to the provisions of this Act the Board may for the purposes of or in connexion with the railways make and maintain all necessary and proper bridges subways sidings rails junctions approaches signals works apparatus and conveniences and may for the purposes of or in connexion with the wharf or landing-stage by this Act authorised and the construction maintenance repair and user thereof construct and place from time to time and maintain temporarily or otherwise and use all such caissons coffer dams piles staging pontoons and other works and structures in the bed banks channel and waterway of the

River Thames as they may deem necessary or expedient and may for the last-mentioned purposes and for the purposes of or in connexion with the provision and maintenance of approaches to and lay-byes at the said wharf or landing-stage dredge excavate and interfere with the bed banks and channel of the said river. A.D. 1913.

12. Subject to the provisions in Part I. (relating to the construction of a railway) of the Railways Clauses Act 1863 contained (as incorporated with this Act) in reference to the crossing of roads on the level the Board may in the construction of the railways carry the same with a single line only whilst the railways shall consist of a single line and afterwards with a double line only across and on the level of the roads respectively numbered on the deposited plans 4 in the parish of Hampton and 15 in the parish of Hanworth : Power to cross certain roads on level.

Provided that—

- (i) the Board shall erect and at all times maintain good and sufficient gates—
 - (A) across the railway on each side of the said road numbered 4 in the parish of Hampton where the railway shall communicate therewith; and
 - (B) across the said road numbered 15 in the parish of Hanworth on each side of the railway where the same shall communicate with that road;
- (ii) at the point (A) herein-before referred to the gates shall be kept constantly closed across the railway on both sides of the road except during the time when the Board shall require to use the railway for the passage of locomotives trucks or carriages across the road; and
- (iii) at the point (B) herein-before referred to the gates shall be kept constantly closed across the road on both sides of the railway except during the time when horses cattle carts or carriages passing along the same shall have to cross the railway;
- (iv) the Board shall employ a proper person to open and shut the gates at the point (A) herein-before referred to and the person so employed shall be in constant attendance whenever the railway shall be in use by the Board for the passage of locomotives trucks or

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carriages across the road at that point and shall close the said gates as soon as such locomotives trucks or carriages shall have passed through the same;

- (v) whenever on the occasion of a race-meeting at Kempton Park Racecourse the road at the point (B) hereinbefore referred to shall be lawfully used for public traffic the Board shall employ a proper person to open and shut the gates at that point and the person so employed shall close the said gates as soon as any horses carts or carriages requiring to cross the railway shall have passed through the said gates.

Repair of surface of roads over bridges.

13. Notwithstanding anything contained in section 46 of the Railways Clauses Consolidation Act 1845 the Board shall not be liable to maintain the surface of any road or public highway which shall be carried over the railways or any of them by a bridge or bridges unless the level of such road or public highway is permanently altered so as to increase the gradient of any part thereof.

Railways not to be used for public traffic.

14. Notwithstanding anything in the Railways Clauses Consolidation Act 1845 the railways shall not be used for the conveyance of passengers or public traffic.

Power to deviate.

15. In constructing the works by this Act authorised the Board may deviate from the lines thereof to any extent not exceeding the limits of deviation shown on the deposited plans and where on any road no such limits are shown the boundaries of such road shall be deemed to be such limits and may also subject as in this Act provided deviate from the levels shown on the deposited sections to any extent upwards not exceeding five feet and to any extent downwards Provided that no part of the works by this Act authorised and therein described as conduits cuts aqueducts or lines of pipes shall be constructed above the surface of the ground except so far as is shown on the deposited sections.

Breaking up of roads and footpaths.

16. For the purpose of making or maintaining any of the works by this Act authorised or any subsidiary work in connexion with such works the Board may but subject (so far as relates to any such works other than the railways and works in

connexion therewith by this Act authorised) to the provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes open and break up any public road or public footpath shown on the deposited plans in connexion with such works in under across or over which any of such works are authorised to be constructed Provided that where they open or break up any such road or footpath they shall be subject to the following obligations:—

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- (1) They shall with all convenient speed complete the work on account of which they open or break up the road or footpath and subject to the making and maintenance of the said work fill in the ground and make good the surface and restore the portion of the road or footpath to as good a condition as that in which it was when it was opened or broken up and clear away all surplus paving or metalling material or rubbish occasioned thereby:
- (2) They shall in the meantime cause the place where the road or footpath is opened or broken up to be fenced and watched and to be properly lighted at night:
- (3) Where they require under the powers of this section to open or break up any such road within the Metropolitan Police area for the purpose of laying mains pipes or other works across the same they shall not except as herein-after provided execute their works in such a way as to obstruct the entire width of the carriageway at any one time but shall make provision for the accommodation—
 - (A) of a single line of vehicular traffic; or
 - (B) where (in the case of the Bath Road the Harrow Road and the Uxbridge Road) the Commissioner of Metropolitan Police so requires of two lines of vehicular traffic

at the point at which the works are executed Provided that if and whenever it shall be necessary for any such purpose as aforesaid for the Board to obstruct the entire width of the carriageway of any road within the Metropolitan Police area at any one time it shall be lawful for them to do so but in that case they shall provide and during the continuance

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of the obstruction maintain at the point at which the works are executed such temporary accommodation (if any) for vehicular traffic as the said Commissioner may require.

Temporary
stoppage of
roads and
footpaths.

17. In addition to any powers of stopping up diverting or interfering with roads or footpaths which the Board may lawfully exercise within their limits of supply the Board during the execution and for the purposes of any works by this Act authorised or any subsidiary works in connexion with such works may temporarily stop up divert and interfere with any road or footpath outside their limits of supply which is shown on the deposited plans in connexion with such works and may for any reasonable time prevent all persons other than those bonâ fide going to or returning from any house in any such road from passing along and using the same but the Board shall provide reasonable access for persons bonâ fide going to or returning from any such house or any station goods-yard or other railway premises to which such road affords access.

Alteration of
position of
mains and
pipes.

18. Subject to the other provisions of this Act the Board may for the purposes of and in connexion with the several works authorised by this Act and within the limits of deviation for such works as shown on the deposited plans raise sink or otherwise alter the position of or may remove any sewer drain gas or water main or pipe or any other obstruction of a like nature making in case of alterations proper substituted works in the meantime and causing as little detriment and inconvenience as circumstances admit and making compensation to any person who suffers damage by any such alteration or removal Provided that nothing in this section shall extend to authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 to 1909 to which the provisions of section 15 of the Electric Lighting Act 1882 apply otherwise than in accordance with such provisions Provided also that the Board shall not raise sink or otherwise alter the position of any telegraphic line belonging to or used by the Postmaster-General except under and in accordance with the provisions of the Telegraph Act 1878.

Power to
divert
streams &c.

19.—(1) It shall be lawful for the Board to divert and alter the course of any streams watercourses or ditches on any lands to be acquired or appropriated by them under the powers

of this Act and the bed banks and channel of the diverted portion of such streams watercourses and ditches shall by virtue of this Act vest in the Board and may be appropriated and used by the Board for the purposes of this Act or for any other purpose of their undertaking.

(2) Nothing in this section or done by the Board thereunder shall in any way alter or affect the boundary between any local areas formed by any such stream watercourse or ditch as aforesaid but such boundary shall continue as if the stream watercourse or ditch forming the same had not been diverted and this Act had not been passed.

20. And whereas in order to avoid in the execution and maintenance of any works authorised by this Act injury to the houses and buildings within one hundred feet of any of such works it may be necessary to underpin or otherwise strengthen the same Therefore the Board at their own costs and charges may and if required by the owners or lessees of any such house or building shall subject as herein-after provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

Underpinning of houses near works.

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened:
- (2) Each such notice if given by the Board shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the principal office of the Board:
- (3) If any owner lessee or occupier of any such house or building or the Board as the case may require shall within seven days after the giving of such notice give a counter-notice in writing that he or they as the case may be disputes or dispute the necessity of such underpinning or strengthening the question of the necessity shall be referred to the arbitration of an engineer to be agreed upon or in case of difference appointed at the instance of either party by the Board of Trade:

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- (4) The arbitrator shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Board may and shall proceed forthwith so to underpin or strengthen the said house or building:
- (5) The Board shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this enactment:
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Board such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Board then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the arbitrator the Board shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof:
- (7) Nothing in this enactment contained nor any dealing with any property in pursuance of this enactment shall relieve the Board from the liability to compensate under section 68 of the Lands Clauses Consolidation Act 1845 or under any other Act:
- (8) Every case of compensation to be ascertained under this enactment shall be ascertained according to the provisions of the Lands Clauses Acts:
- (9) Nothing in this section shall repeal or affect the application of section 92 of the Lands Clauses Consolidation Act 1845.

21.—(1) If the wharf or landing-stage by this Act authorised is not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Board for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

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 Period for completion of works by Board.

(2) If the works authorised by this Part of this Act (other than the said wharf or landing-stage) are not completed within fifteen years from the passing of this Act then on the expiration of that period the powers by this Act granted to the Board for the making thereof or otherwise in relation thereto shall cease except as to such of them as are or so much thereof respectively as is then completed. Provided that nothing in this section shall restrict the Board from extending their works mains and pipes from time to time whenever it shall be necessary for the purpose of increasing or distributing the supply of water within their existing limits of supply.

22. The works authorised by this Part of this Act shall be deemed part of the undertaking of the Board.

Works to be part of undertaking of Board.

23.—(1) Before commencing any of the works by this Act authorised in or under any street or road in or under which any mains pipes syphons or other works (herein-after called “apparatus”) of any company body or authority authorised by any Act of Parliament or Provisional Order confirmed by an Act of Parliament to supply gas water or electricity or any sewers drains electric lines pipes syphons or other works (herein-after called “pipes”) of any main or other sewerage authority constituted by Act of Parliament or of the council of any municipal or metropolitan borough or of any urban or rural district or of any parish (each of which companies bodies authorities and councils is herein-after referred to as “the protected body”) are situate the Board shall deliver to the protected body plans sections and descriptions of all works so proposed to be executed describing the proposed manner of executing the same and such plans sections and descriptions shall be delivered to the protected body at least twenty-one days before the commencement of any such work.

General provisions for protection of gas water and electricity mains and sewers.

If it should appear to the protected body that such works will interfere with or endanger any of their apparatus or pipes or impede the supply of gas water or electricity by means of

A.D. 1913. — such apparatus or the flow of sewage or drainage through such pipes the protected body may give notice to the Board to lower or otherwise alter the position of such apparatus or pipes or to support the same or to substitute temporarily or otherwise other apparatus or pipes in such manner as may be considered necessary and to lay or place under any apparatus or pipes cement concrete or other like substance and any difference as to the necessity of such lowering alteration support substitution or laying or placing cement concrete or other like substance (herein-after called "protective works") shall be settled as herein-after provided such works of the Board (so far as the same are intended to be constructed underground) to be constructed so that not less than three feet shall anywhere be left between the crown of the said works and the road surface All such protective works shall save as herein-after provided be done and executed by and at the expense of the Board but to the satisfaction and under the superintendence of the engineer of the protected body and the reasonable costs charges and expenses of such superintendence shall be paid by the Board If any protected body by notice in writing to the Board within fourteen days after the receipt by them of notice of the intended commencement by the Board of any such works of the Board so require the protected body may by their own engineer or workmen do and execute protective works so far as they affect the apparatus or pipes of the protected body and the Board shall on the completion thereof pay to the protected body the reasonable expenses incurred by them in the execution of such protective works.

(2) In the event of the plans sections and descriptions so delivered to the protected body as aforesaid not being objected to within fourteen days from such delivery the works shown and described thereon shall be executed in strict accordance therewith.

(3) The protected body may if they deem fit employ watchmen or inspectors to watch and inspect the works whereby any apparatus or pipes of the protected body will be interfered with or affected during the construction repair or renewal of such works and the reasonable wages of such watchmen or inspectors shall be borne by the Board and be paid by them to the protected body.

(4) If any interruption in the supply of gas water or electricity by means of any apparatus or in the flow of sewage

or drainage through any pipes shall without the written authority of the protected body be in any way occasioned either by reason of the exercise of the statutory powers conferred upon the Board or by the act or default of the Board or of any of their contractors agents workmen or servants or any person in the employ of them or any or either of them the Board shall forfeit and pay to the protected body for the use and benefit of the protected body a sum not exceeding ten pounds for every day during which such interruption shall continue. A.D. 1913.

(5) The expense of all repairs or renewals of any apparatus or pipes of the protected body or any works in connexion therewith which may be rendered necessary either by reason of the exercise of the statutory powers conferred upon the Board or by the acts or defaults of the Board their contractors agents workmen or servants or any person in the employ of them or any or either of them or rendered necessary by reason of any subsidence resulting from the works of the Board whether during the construction of such works or within twelve months of the completion thereof shall be borne and paid by the Board.

(6) It shall be lawful for the protected body and the engineers workmen and others in their employ at all times when it may be necessary to enter upon the lands works and premises of the Board at any point or place where there are existing apparatus or pipes of the protected body and to do all such works in and upon such lands and premises as may be necessary for repairing maintaining or removing or replacing or extending such apparatus or pipes under or over the same lands and premises Provided always that in so doing the protected body their engineers or workmen or others in the employ of the protected body shall not interrupt the user of any of the works of the Board by this Act authorised Provided also that the protected body shall make good and reimburse to the Board all damage to such works occasioned by the exercise of the powers by this section reserved to the protected body.

(7) If any difference shall arise with respect to any matter under this section between the Board and the protected body or their engineer or concerning any plans sections or descriptions to be delivered to the protected body under the foregoing provisions of this section the matter in difference shall be referred to and settled by an arbitrator to be appointed on the

A.D. 1913. application of either party by the President of the Institution of Civil Engineers and the costs of such arbitration shall be borne and paid as the arbitrator shall direct and in settling any question under this section an arbitrator shall have regard to any duties or obligations which the protected body may be under in respect of their apparatus or pipes and may if he thinks fit require the Board to execute any temporary or other works so as to avoid so far as may be reasonably possible interference with any purpose for which the protected body's apparatus or pipes are used.

Agreements as to construction &c. of wharf or landing stage.

24. The Board on the one hand and the Conservators of the River Thames or any other company body authority or person on the other hand may enter into and carry into effect agreements and arrangements for and with respect to the construction maintenance and user of the wharf or landing-stage and works connected therewith or incidental thereto by this Act authorised.

For protection of Willesden Urban District Council.

25. For the benefit and protection of the Willesden Urban District Council (in this section called "the Willesden Council") the following provisions shall notwithstanding anything in this Act contained or shown on the deposited plans and sections unless otherwise agreed on in writing between the Willesden Council and the Board have effect (that is to say):—

(1) The aqueduct or lines of pipes (Aqueduct No. 1) (herein-after called "Aqueduct No. 1") by this Act authorised where it is intended to be constructed in under or through the lands numbered 23 on the deposited plans in the parish of Wembley and numbered 1 2 36 42 43 and 44 on the deposited plans in the parish of Willesden shall be so constructed that the upper surface of the aqueduct or pipe shall throughout its entire length where it passes through the said lands be at such a depth as shall be reasonably approved by the engineer of the Willesden Council :

(2) Where Aqueduct No. 1 crosses the 18-inch pipe of the Willesden Council laid in the old arm of the River Brent it shall be constructed at such a level as will leave the said 18-inch pipe intact with level unaltered and such works shall be constructed by the Board to support the said 18-inch pipe as may be required by the engineer to the Willesden Council :

- (3) Where Aqueduct No. 1 crosses the main outfall sewer of the Willesden Council in the lands numbered 1 on the deposited plans in the parish of Willesden the Board shall construct an efficient concrete pier or piers for supporting and carrying Aqueduct No. 1 and for protecting the said sewer from pressure damage or injury: A.D. 1913.
- (4) Where Aqueduct No. 1 crosses the following sewers of the Willesden Council namely the Harlesden Valley Main Sewer in Dog Lane numbered 5 on the deposited plans in the parish of Willesden the 15-inch pipe sewer in Dudden Hill Lane numbered 34 on the deposited plans in the said parish and three pipe sewers in the lands numbered 36 40 and 42 on the deposited plans in the said parish and any other sewers of the Willesden Council now constructed or which either before or during the construction of Aqueduct No. 1 may be constructed or be in course of construction Aqueduct No. 1 shall be carried under or over the said sewers respectively in such manner that there shall be in each case a clear space of at least six inches between the aqueduct and the sewer and the Board shall construct an efficient pier or piers to support the sewer or aqueduct as the case may be:
- (5) All subsoil drains interfered with by Aqueduct No. 1 or works connected therewith where the same passes through the lands known as Gladstone Park and numbered 36 42 43 and 44 on the deposited plans shall be reinstated by the Board to the satisfaction of the engineer to the Willesden Council:
- (6) Where Aqueduct No. 1 passes through or under the lands numbered on the deposited plans 23 in the parish of Wembley and 1 and 2 in the parish of Willesden or any of them the Board shall so construct the aqueduct as to prevent so far as practicable percolation from such lands or any pipes thereunder into the trench or culvert in which the aqueduct is laid or so as to affect the said aqueduct and the Willesden Council shall in no way be bound to make provision for preventing such percolation

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or be liable to the Board for the consequences of any such percolation :

- (7) Where Aqueduct No. 1 is intended to pass through the lands numbered 30 to 35 inclusive on the deposited plans in the parish of Willesden the Board shall not in any way interfere with the Neasden Valley main sewer of the Willesden Council and the invert of the aqueduct shall at no part be at a lower level than the soffit of the part of the sewer immediately opposite that part of the aqueduct unless otherwise agreed between the respective engineers of the Board and the Willesden Council :
- (8) If any injury or damage is occasioned to the Willesden Council or to their lands roads footpaths sewers drains mains cables wires tubes apparatus works or property or any part thereof during the construction of Aqueduct No. 1 in the parish of Willesden or in the lands numbered on the deposited plans 23 in the parish of Wembley the Board shall forthwith make good and repair such damage or injury to the reasonable satisfaction of the engineer to the Willesden Council :
- (9) The Board shall not require any payment for any works executed by the Willesden Council in under or upon any lands in the parish of Willesden acquired by the Board under the powers of this Act or in under or upon the lands numbered 23 on the deposited plans in the parish of Wembley and nothing in this Act shall alter prejudice or interfere with the right of the Willesden Council to enter upon any lands belonging to the Board for the purpose of inspecting maintaining repairing or renewing or enlarging any of their sewers drains mains cables wires tubes apparatus works or property Provided that such sewers or works shall in no way prejudicially affect any aqueduct or works of the Board :
- (10) The Board shall not acquire any lands or property of the Willesden Council or any easement therein or thereunder which may be necessary for constructing and maintaining the said aqueduct and works by this

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Act authorised to be constructed other than the easement already acquired by the New River Company under the powers of the New River Company's Act 1897 and the Willesden Council shall not require any further payment from the Board in respect of such easement other than compensation in respect of surface damage which may arise from laying and maintaining the said aqueduct and works by this Act authorised :

- (11) The Board shall not commence Aqueduct No. 1 or any of the works to be executed by them under this Act or any works for discharging water from any aqueduct or line of pipes by this Act authorised into any river brook stream watercourse or ditch belonging to or under the jurisdiction of the Willesden Council so far as such aqueduct or works are or will be situate within the parish of Willesden or the lands numbered 23 on the deposited plans in the parish of Wembley until they shall have given to the Willesden Council at least twenty-one days' notice in writing of their intention to commence the same by leaving such notice at the office of the clerk to the Willesden Council with plans and sections (the sections showing particularly the exact levels of the invert of Aqueduct No. 1) of the said works nor until the Willesden Council shall have signified their approval of the same unless the Willesden Council shall fail to signify their approval or disapproval within twenty-one days after service of the said notice and delivery of the said plans and sections in which event the Board may proceed forthwith with the said works in accordance with the said plans and sections and in case such plans and sections are not agreed upon any difference between the Board and the Willesden Council with reference to any of the matters aforesaid shall be determined by arbitration as herein-after provided :
- (12) All works to be executed and things to be done by the Board under the provisions of this section shall be executed and done at the expense of the Board under the superintendence and in every respect to the

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reasonable satisfaction of the engineer to the Willesden Council and the Board shall comply with and conform to all reasonable directions and regulations of such engineer in the execution of the said works and the doing of the said things :

- (13) The engineer to the Willesden Council and his assistants or other persons appointed by the Willesden Council shall from time to time and at all times during the construction of the Aqueduct No. 1 and works by this Act authorised and the works in connexion therewith and any other works which may affect the roads footpaths sewers drains mains cables wires tubes apparatus lands or other property of the Willesden Council have full power to enter upon and inspect the same and the progress and condition thereof to see whether the provisions of this section are being complied with or otherwise :
- (14) The Board shall not without the consent of the Willesden Council in any way during the progress of the works by this Act authorised at one time stop up or impede or obstruct the public traffic from passing along more than one half the width of any road within the district of the Willesden Council :
- (15) The Board shall be liable to pay and shall pay to the Willesden Council any damages penalties costs charges or expenses which the Willesden Council may become legally liable to pay and shall have so paid in respect of any injury loss or damages occasioned during and for twelve calendar months after the execution by the Board of any works under the authority of this Act and all moneys so paid by the Willesden Council on account of any such damages penalties costs charges or expenses shall be repaid to the Willesden Council by the Board on demand :
- (16) In case of any difference or dispute arising between the Willesden Council and the Board or their respective engineers touching or concerning the true intent and meaning of this section or the construction or carrying into effect of any of the works matters or things to be done or performed by the Board in

pursuance thereof the same shall be referred to and settled by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers. A.D. 1913.

26. In constructing the works by this Act authorised so far as the same are situate within the urban district of Greenford (in this section referred to as "the district") the following provisions for the protection of the urban district council of Greenford (in this section referred to as "the council") unless otherwise agreed in writing between the council and the Board shall notwithstanding anything contained in this Act or shown on the deposited plans and sections have effect (that is to say) :—

For protection of Greenford Urban District Council.

- (1) In the event of the council at any time requiring in exercise of any powers vested in them to construct any roads over or carry any sewers drains or other apparatus through across or under the works of the Board by this Act authorised within the district the Board shall not make any claim or charge against the council for the easement or right of constructing such roads or laying maintaining renewing and repairing any such sewers drains or other apparatus but subject as aforesaid the provisions of the Highways Acts and the Public Health Acts shall apply to such roads sewers drains or other apparatus and to the council and the Board in respect thereof but this subsection shall not apply to any roads which may be constructed longitudinally over the works of the Board :
- (2) All works within the district shall be so executed by the Board as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any road within the district or the drainage of any watercourse and the Board shall not break up at any one time more than one-half of the width of any road within the district :
- (3) The Board shall make all culverts constructed by them within the district of a size and design to the reasonable satisfaction of the council :

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- (4) In all cases where the aqueducts of the Board cross or shall cross any public road within the district the Board shall if required by the council convey to the council free of cost so much of the surface of the land acquired by them for the construction of the aqueduct as may be necessary to widen the roadway to a width of forty-five feet and all ground so conveyed shall become and at all times thereafter remain part of the public highway and shall be made up and maintained by the council as part of the highway :
- (5) In the construction of Aqueduct No. 3 the Board shall make its connexion with the River Brent at such point within the authorised limits of deviation as shall be agreed upon between the council and the Board and shall execute all such works as shall be reasonably required by and to the reasonable satisfaction of the council :
- (6) The Board shall during the construction of the works in the district by this Act authorised lay an additional line of pipes of a size to the reasonable satisfaction of the council alongside of but not so as to interfere with the existing pipes of the Board in the inclosure in the parish of Greenford numbered 54 on the $\frac{1}{2500}$ scale Ordnance map second edition 1896 (Middlesex sheet No. XV. 7) :
- (7) In the exercise of their powers under the section of this Act whereof the marginal note is "Temporary discharge of water into streams" the Board shall take all such precautions in respect thereof as shall be reasonably required by the council :
- (8) In case of any difference arising between the Board and the council under this section the same shall be determined by arbitration in manner provided by the section of this Act of which the marginal note is "General provisions for protection of gas water and electricity mains and sewers" with respect to the settlement of differences under that section.

For protection of
Midland
Railway
Company.

27. No alteration shall be made in the structure of the existing subway under the Acton branch of the Midland Railway Company (in this section referred to as "the company") without the consent of the chief engineer of the company Any difference

which may arise between the Board and the company under this section shall be determined by an engineer to be agreed upon by the Board and the company or failing agreement to be appointed by the President of the Institution of Civil Engineers. A.D. 1913.

28. For the protection of the Hampton Urban District Council (hereafter in this section referred to as "the council") the following provisions shall have effect:—

For protection of Hampton Urban District Council.

- (1) Before commencing the construction of Railway No. 1 where it crosses the Lower Sunbury Road the Board shall give to the council fourteen days' previous notice of their intention to commence the same:
- (2) The Board shall at all times maintain and keep in good condition and repair and so as not to be a danger or annoyance to the ordinary traffic the rails of the railway authorised by this Act to be laid on the Lower Sunbury Road and the sub-structure upon which the same rest and shall also at their own expense pave with granite setts and at all times maintain and keep in good condition and repair with such materials and in such manner as the road authority shall reasonably direct and to their reasonable satisfaction so much of any road whereon any such railway is laid as lies between the rails of the railway and so much of the road as extends six feet beyond the rails of and on each side of any such railway Provided always that if the Board fail to comply with the provisions of this section the road authority if they think fit may themselves at any time after fourteen days' notice to the Board open and break up the road and do the works necessary for the paving repair and maintenance of the road to the extent in this section above mentioned and the expense incurred by the road authority in so doing shall be repaid to them by the Board:
- (3) If at any time after the construction of the said Railway No. 1 the Board shall require to make any alteration in the position or level of the rails thereof where laid across the said Lower Sunbury Road they shall (except in any case of emergency) give to the council three days' previous notice of their intention to commence such alteration:

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- (4) For the purposes of this section the term "road" shall mean any carriageway or footway being a public highway and the term "road authority" shall mean the local authority in whom the road as so defined is vested or who have the power to maintain or repair such road.

For pro-
tection of
Conservators
of River
Thames.

29. For the protection of the Conservators of the River Thames (herein-after called "the conservators") the following provisions shall notwithstanding anything contained in this Act or the Acts incorporated herewith or in any other Act have effect unless otherwise agreed in writing between the conservators and the Board (that is to say):—

- (1) The wharf or landing-stage by this Act authorised shall be so constructed that no part thereof shall project into the River Thames beyond the line of the existing bank on either side thereof nor shall any machine be erected thereon in such a manner as to permanently overhang the river:
- (2) The wharf or landing-stage by this Act authorised and all works in connexion therewith whether permanent or temporary so far as the same affect the River Thames shall be executed and maintained according to plans elevations and sections approved in writing by the conservators and to the reasonable satisfaction of the engineer of the conservators and the navigation of the said river shall not be interfered with more than is absolutely necessary in the execution of the works:
- (3) The said works when commenced shall be proceeded with and completed as early as practicable and the Board shall upon completion of the permanent works and in any event within the period by this Act prescribed for such completion upon reasonable notice from the conservators so to do remove the whole and every part of any temporary works and materials for temporary works which may have been placed in the River Thames by the Board and on their failing so to do the conservators may remove the same charging the Board with the expense of so doing and the Board shall forthwith repay to the conservators all expenses so incurred:

- (4) The Board shall during the construction and on the occasion of any future repair of any of the said works over or upon the bed banks or shores of the River Thames hang out and exhibit at or near the said works every night from sunset to sunrise lights to be kept burning by and at the expense of the Board and proper and sufficient for the navigation and safe guidance of vessels and the Board shall also in like manner and at the like expense hang out and exhibit at or near the said works every day from sunrise to sunset such signals as may be reasonably proper and sufficient for the navigation and safe guidance of vessels and such lights and signals or any of them as the case may be shall from time to time be altered by the Board in such manner and be of such kind and number and be so placed and used as the conservators by writing under the hand of their secretary or other authorised officer shall approve or direct and in case the Board fail so to exhibit and keep burning the lights or to exhibit the signals they shall for every such offence forfeit to the conservators ten pounds which may be recovered by the conservators in a summary manner in any court of summary jurisdiction : A.D. 1913.
- (5) Nothing in this Act contained shall authorise or empower the Board without the previous consent of the conservators under the hand of their secretary to embank and encroach upon or interfere with any part of the River Thames or the bed or shore thereof except according to the plans elevations and sections approved by the conservators:
- (6) The Board shall not (except so far as shall be necessary in the construction of the works) take any gravel soil or other material from the bed or shore of the river without the previous consent of the conservators signified in writing under the hand of their secretary :
- (7) The said wharf or landing-stage shall be used for the purposes of the undertaking of the Board and for no other purpose whatsoever without the previous consent in writing of the conservators under the hand of their secretary :

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(8) Except as in this Act expressly provided to the contrary nothing therein contained shall extend or be construed to extend to prejudice or derogate from the estates rights interests privileges liberties or franchises of the conservators or to prohibit defeat alter or diminish any power authority or jurisdiction which at the time of the passing of this Act the conservators did or might lawfully claim use or exercise:

(9) If any difference arise between the Board and the conservators as to any matter or thing affecting the plans elevations or sections or the mode of constructing the works by this Act authorised such difference shall be referred to an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and any arbitration hereunder shall except as to the appointment of an arbitrator be subject to the provisions of the Arbitration Act 1889.

For protection of Grand Junction Canal Company.

30. The following provisions for the protection of the Company of Proprietors of the Grand Junction Canal (hereinafter in this section called "the canal company") shall unless otherwise agreed in writing between the Board and the canal company apply and have effect (that is to say):—

(1) Except as herein-after provided the Board shall not under the powers of this Act or of the Acts incorporated therewith enter upon take or use either temporarily or permanently any land or property of the canal company:

(2) The crossing by the Aqueduct No. 1 by this Act authorised of the main line of the canal of the canal company in the parish of Norwood and the crossing by the said aqueduct of the Paddington arm of the said canal and the adjoining property of the canal company in the parish of Wembley shall be effected by laying the said aqueduct (A) in the culverts constructed by the New River Company under the said main line and branch canal respectively for the purposes of the Aqueduct (No. 4) laid by that company under the powers of the New River Company's Act 1897 and (B) in and under that part of the

property of the canal company shown on the deposited plans relating to the said Aqueduct No. 1 through which the said culvert crossing the Paddington arm of the said canal and the adjoining property of the canal company in the parish of Wembley does not extend : A.D. 1913.

- (3) The Board may acquire and the canal company may and shall sell to the Board the easement or right of laying maintaining repairing using inspecting cleansing and renewing the said Aqueduct No. 1 in and through the said culverts and in and through the strip of land forming part of the property of the canal company which is coloured green on the plan marked "G. J." which has been signed by the Right Honourable the Lord Clinton the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (of which plan one copy has been deposited in the Parliament Office of the House of Lords and one copy has been deposited in the Private Bill Office of the House of Commons) The consideration to be paid by the Board for the said easement or right shall be a yearly rentcharge of three pounds charged and payable as provided by section 11 of the Lands Clauses Consolidation Act 1845 :
- (4) Subject to the foregoing provisions of this section the provisions of section 19 (For protection of Grand Junction Canal Company) of the said New River Company's Act 1897 (except subsections (1) (2) and (7) of that section) shall apply in relation to the construction laying down maintenance repair cleansing and renewal by the Board of the said Aqueduct No. 1 and the works connected therewith by this Act authorised under or otherwise affecting the canal towing path and property of the canal company in like manner as those provisions applied and apply in relation to the construction laying down maintenance repair and renewal of Aqueduct (No. 4) authorised by the said Act of 1897 under or otherwise affecting the said canal towing-path and property and as if the Board had been named in the said section in the place of the New River Company :

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- (5) Aqueduct No. 2 by this Act authorised shall be carried under the Paddington arm of the said canal at the point in the parish of Greenford shown upon the deposited plans and under the towing-path and other adjoining property of the canal company in such manner that no part of the said aqueduct or of any work in connexion therewith shall be less than twelve feet below the weir level of the canal at the point of crossing :
- (6) The Board may acquire and the canal company may and shall sell to the Board such an easement as may be necessary for the construction maintenance repair inspection cleansing renewal and use of the Aqueduct No. 2 by this Act authorised subject nevertheless to the provisions of this section and the consideration to be paid for such easement shall be determined in manner provided by the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement and for the purposes of any such determination the acquisition of the said easement or right shall be deemed to be a taking of land within the meaning of section 6 of the Railways Clauses Consolidation Act 1845 :
- (7) The provisions of subsections (9) (10) (11) and (12) of section 39 (For protection of Grand Junction Canal Company) of the Metropolitan Water Board (New Works) Act 1911 (herein-after in this section referred to as "the Act of 1911") shall mutatis mutandis apply to the construction use maintenance alteration repair cleansing and renewal of the said Aqueduct No. 2 and to the exercise of the powers by this Act conferred on the Board in relation thereto as if those subsections had been repeated in this section with reference to that aqueduct and those powers respectively :
- (8) The exercise by the Board of the power conferred by the section of this Act of which the marginal note is "Power to Board to make junctions &c." shall so far as affecting the canal and towing-path of the canal company be subject to the provisions of subsection (14) of the said section 39 of the Act of 1911 :

- (9) The Board shall during the construction of the works of the Board by this Act authorised through under or otherwise affecting the property of the canal company or the execution of any alteration repairs or renewals thereof bear and upon demand pay to the canal company the reasonable expense of the employment of a sufficient number of inspectors or watchmen to be appointed by the canal company for watching their property with reference to and during the execution of the said works and for preventing so far as may be any damage obstruction or accident which may arise from any of the operations or from the acts or defaults of the Board or their contractors or any person in the employment of the Board or their contractors or otherwise : A.D. 1913.
- (10) In addition and without prejudice to the provisions of or incorporated with this section the Board shall compensate and indemnify the canal company for and in respect of all loss costs damages expenses claims and demands which the canal company may sustain or incur or which may be made against them by reason or in consequence of the construction maintenance alteration repair renewal or use of the works of the Board or the failure or want of repair thereof or by reason of any act or omission of the Board their contractors agents workmen or servants :
- (11) The fact that any work or thing has been executed or done in accordance with a plan approved by the canal company or with a requirement of the canal company or their engineer to which the Board have assented or to the satisfaction of such engineer shall not relieve the Board from any liability for damage caused to the property of the canal company or affect any claim competent to the canal company under this Act :
- (12) If any difference (the settlement of which is not in this section otherwise provided for) shall arise under this section between the Board and the canal company or between their respective engineers as to any plans sections or specifications or as to the mode of executing any works or as to the reasonableness of

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any requirement of the canal company or of their engineer such difference shall be settled by an arbitrator to be agreed upon or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either the Board or the canal company and in all other respects the provisions of the Arbitration Act 1889 shall apply to such arbitration.

For protec-
tion of Brent
Feeder.

31. Whereas the Aqueduct No. 1 by this Act authorised is intended to be carried under certain lands numbered on the deposited plans 23 in the parish of Willesden and used as a feeder for the supply of the Paddington Long Level of the Grand Junction Canal and of the Regent's Canal Now therefore the following provisions for the protection of the said feeder shall unless otherwise agreed in writing between the Board on the one hand and the Company of Proprietors of the Grand Junction Canal and the Regent's Canal and Dock Company (together herein-after referred to as "the two canal companies") on the other hand apply and have effect (that is to say):—

- (1) Except as otherwise by this Act expressly provided the Board shall not under the powers of this Act or of the Acts incorporated therewith enter upon take or use any part of the said feeder or any land or other property of the two canal companies or either of them :
- (2) The crossing of the said feeder by the Aqueduct No. 1 by this Act authorised shall be effected by laying the said aqueduct in the culvert constructed by the New River Company under the said feeder for the purposes of the Aqueduct (No. 4) laid by that company under the powers of the New River Company's Act 1897 :
- (3) The Board may acquire the easement or right of laying maintaining repairing using inspecting cleansing and renewing the said Aqueduct No. 1 in and through the said culvert The consideration to be paid by the Board under subsection (3) of the section of this Act of which the marginal note is "For protection of Grand Junction Canal Company" for the easement or right referred to in that subsection shall include the consideration for the easement or right to be acquired by the Board under this section :

(4) Subject to the foregoing provisions of this section the provisions of section 20 (For protection of Brent Feeder) of the New River Company's Act 1897 (except subsections (1) and (2) of that section) shall apply in relation to the construction laying down maintenance repair and renewal by the Board of the said Aqueduct No. 1 and the works connected therewith by this Act authorised under or otherwise affecting the said feeder and in reference to any failure to repair the same in like manner as those provisions applied and apply to the construction laying down maintenance repair and renewal of and failure to repair Aqueduct (No. 4) authorised by the said Act of 1897 under or otherwise affecting the said feeder and as if the Board had been named in the said section in the place of the New River Company and as if the North Metropolitan Railway and Canal Company had been therein described by its present name of the Regent's Canal and Dock Company. A.D. 1913.

32. The following provisions shall unless otherwise agreed have effect for the protection of the London County Council (herein-after called "the council") (that is to say) :— For protection of London County Council.

- (1) Twenty-eight days before commencing to execute or construct any works under the powers of this Act which may involve interference with any tramway of the council the Board shall deliver to the council plans sections and specifications of such works as proposed to be executed or constructed and within twenty-one days from such delivery the council may in writing intimate to the Board any objections to the said plans sections and specifications or make any requirements with respect to such works and in the event of any difference arising between the council and the Board under this subsection the matters in difference shall be determined by arbitration as herein-after provided:
- (2) The said works shall be executed or constructed in accordance with the said plans sections specifications and requirements as approved or made by the council or settled by arbitration as aforesaid and under the superintendence and to the reasonable satisfaction of

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the council Provided that at any time before the Board are entitled to commence such works the council may give notice to the Board stating that they desire to execute or construct any alterations of any of their tramways necessitated by such works and the council may to the reasonable satisfaction of the Board execute or construct such alterations subject to the like restrictions and conditions so far as they are applicable as the Board would themselves be subject to in executing or constructing the same and if the council give such notice the Board shall not be entitled to proceed themselves to execute or construct such alterations unless the council neglect or unreasonably delay to execute or construct the same :

- (3) If during and by the execution or construction of the said works (otherwise than by the council) any tramway of the council or any of the works or conveniences connected therewith shall be injured or damaged such injury or damage shall be forthwith made good by the Board at their own expense or in the event of their failing so to do the council may make good the same :
- (4) The Board in executing or constructing the said works shall not in any manner obstruct hinder or interfere with the free or uninterrupted and safe user of the tramways of the council or any traffic on such tramways and shall make full compensation to the council for any loss damage or penalty which they may incur by reason of any such obstruction hindrance or interference as aforesaid which may be occasioned by the Board :
- (5) The Board shall bear and on demand pay to the council the reasonable expenses incurred by the council in respect of the execution by them of any works under the proviso to subsection (2) of this section or under subsection (3) of this section and in respect of the employment by the council during the execution of any of the said works of the Board affecting any such tramway as aforesaid of a sufficient number of inspectors or watchmen for watching such tramway

and the works and conveniences connected therewith during and with reference to the execution of such works and for preventing as far as may be all interference obstruction danger or accident arising from any of the operations of the Board or from acts or defaults of the contractors of the Board or of any person or persons in their employ or otherwise: A.D. 1913.

(6) Any dispute or difference which may arise between the council and the Board under this section shall be settled by a civil engineer to be agreed upon or failing such agreement to be appointed as arbitrator by the President of the Institution of Civil Engineers on the application of the Board and the council or either of them:

(7) Nothing in this section shall prejudice or affect the powers of the Board under section 32 of the Tramways Act 1870.

33. Notwithstanding anything contained in this Act the following provisions for the protection and benefit of the mayor aldermen and councillors of the metropolitan borough of Woolwich (in this section called "the council") shall except so far as may be otherwise agreed in writing between the council and the Board apply and have effect (that is to say):— For protection of Woolwich Borough Council.

(1) The Board shall not under the powers of the section of this Act of which the marginal note is "Subsidiary works in connexion with waterworks" place any telegraphic or telephonic apparatus in any street or road in the said borough except below the surface thereof:

(2) The provisions of the Waterworks Clauses Act 1847 with respect to the breaking up of streets for the purpose of laying pipes shall apply to the construction of any aqueducts in the said borough authorised by this Act as if the expression "aqueduct" were included in the said provisions:

(3) The section of this Act of which the marginal note is "Breaking up of roads and footpaths" shall not be construed as conferring upon the Board in relation to the said borough any powers not exerciseable by them pursuant to the provisions of the Waterworks Clauses Act 1847.

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For pro-
tection of
Middlesex
County
Council.

34. The following provisions for the protection of the county council of the administrative county of Middlesex (in this section referred to as "the county council") shall apply and have effect as regards the works authorised by this Act unless otherwise agreed in writing between the Board and the county council (that is to say):—

- (1) All works shall be so executed by the Board as not to stop or (so far as reasonably practicable) impede or interfere with the traffic on any main road or over any county or main road bridge or the approaches thereto and the Board shall not break up at any one time a greater length than one hundred yards of any main road:
- (2) The Board shall in making any diversion of any stream or watercourse in or affecting the county of Middlesex under the powers of this Act make the same with good and sufficient banks and in such manner that the stream or watercourse as diverted shall be as commodious in all respects as the same was before such diversion and all such banks and works of diversion and works connected therewith shall be made and maintained in a good and substantial manner and to the reasonable satisfaction of the engineer of the county council (in this section referred to as "the county engineer") for a period of twelve months from the date of their completion:
- (3) All diversions of streams or watercourses in or affecting the county of Middlesex and all works including banks executed for the purpose of or in connexion with any such diversion and all permanent works executed by the Board under the powers of the section of this Act of which the marginal note is "Temporary discharge of water into streams" for the purpose of causing water to be discharged into any such stream or watercourse as aforesaid shall be carried out in accordance with plans to be previously submitted by the Board to and reasonably approved by the county council:
- (4) Sections 30 and 31 of the Waterworks Clauses Act 1847 in their application to any works by this Act

authorised so far as such works affect any main road or county or main road bridge in the county of Middlesex shall (except in cases of emergency arising from accidental leakage or burst in which cases notice shall be given as soon as possible) be read and construed as if the notice required by the said section 30 to be given were not less than seven days and as if every such notice were to be accompanied by the plan required by section 31 of the said Act which plan shall be on a sufficient scale and with sufficient sections to show clearly the proposed works: A.D. 1913.

- (5) If any difference arises at any time between the county council or the county engineer and the Board touching this section or anything to be done or not to be done thereunder such difference shall be settled by the arbitration of an engineer to be agreed upon between the county council and the Board or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party and subject thereto the Arbitration Act 1889 shall apply to such arbitration:
- (6) The provisions of this section shall be in addition to and (except so far as is therein expressly provided) not in substitution for or derogation from any other provisions of this Act or any Act incorporated therewith which may enure for the protection or benefit of the county council.

35. For the further protection of the county council of the administrative county of Middlesex (in this section called "the council") the following provisions shall notwithstanding anything contained in this Act apply and have effect unless otherwise agreed upon in writing between the council and the Board (that is to say):—

For further protection of Middlesex County Council.

- (1) The bridge to be constructed for carrying the Kingston and Staines main road over Railway No. 1 by this Act authorised shall be constructed of a width between the parapets of such bridge of fifty feet or such other width as may be determined by arbitration as in this section provided and the Board shall not alter the level of the said road:

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- (2) The Board shall not commence or carry out the construction of the said bridge or the portion of the said railway or execute any works in connexion therewith affecting the said road unless and until they shall have first delivered to the council plans sections and specifications thereof and the same shall have been examined and reasonably approved in writing by the county engineer and surveyor (herein-after in this section called "the engineer") or in case of difference by an arbitrator appointed as herein-after provided Provided always that if the engineer shall fail to approve or disapprove of such plans sections and specifications within twenty-eight days after the same shall have been delivered to the council he shall be deemed to have approved the same and the bridge and works may be carried out by the Board in accordance with such plans sections and specifications :
- (3) The Board shall construct such bridge and portion of railway and works in connexion therewith as aforesaid in accordance with the plans sections and specifications as so approved as aforesaid and at their sole expense and under the supervision and to the reasonable satisfaction of the engineer and the Board shall thereafter at the like expense maintain the said bridge in perpetuity in good and substantial condition and repair to the reasonable satisfaction of the council :
- (4) The Board shall not in the construction of the bridge and said portion of railway and the works in connexion therewith cause any interruption of the passage or conduct of the traffic over the existing bridge or its approaches or along the said road further at any one time than to the extent of stopping the traffic of one-half of the width of the roadway and shall do as little damage as may be to such road and shall at their own expense in a proper and workmanlike manner and to the reasonable satisfaction of the engineer reinstate the said road and make good all damage or disturbance thereto as soon as reasonably practicable after the completion of the said bridge and portion of railway and the works in connexion therewith :

(5) If the Board shall neglect or refuse to reinstate the said road and make good such damage or disturbance as aforesaid as herein-before provided and to maintain the said bridge then the council may execute and do all works and things necessary for effecting such reinstatement and maintenance and the Board shall forthwith pay to the council all the reasonable costs charges and expenses incurred by the council in executing and doing any such works and things as aforesaid: A.D. 1913.

(6) The Board shall during their execution and until the completion of any such works as are mentioned in this section make and carry into effect such arrangement for lighting and watching the same and the portion of the said road interfered with or affected thereby as may be reasonably necessary to prevent danger or accident to persons and vehicles using the said road:

(7) If any difference shall arise between the Board and the council under this section the same shall be determined by an arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

36.—(1) In constructing Aqueduct No. 1 by this Act authorised where it crosses under the railways and property of the London and North Western Railway Company (in this section referred to as “the company”) in the parishes of Twyford Abbey and Wembley the Board shall construct the same in the culvert constructed under the powers of the New River Company’s Act 1897 so far as that culvert extends and so far as the said culvert does not extend then subject to and in accordance with the provisions (so far as applicable) of section 13 (For protection of London and North Western Railway Company) of the said Act which section shall so far as applicable apply to the said Aqueduct No. 1 by this Act authorised. For protection of London and North Western Railway Company.

(2) The deed of grant executed by the company pursuant to the said section 13 shall be read and have effect as applying to the said Aqueduct No. 1 in addition to the works referred

A.D. 1913. to in that deed with the substitution of the Board for the Governor and Company of the New River brought from Chadwell and Amwell to London and no payment in addition to the payment referred to in the said deed shall be made by the Board in respect of the easements by virtue of this section vested in the Board in relation to the said Aqueduct No. 1.

For protection of Great Central Railway Company.

37. For the protection of the Great Central Railway Company (in this section called "the company") the following provisions shall unless otherwise agreed in writing between the Board and the company have effect (that is to say):—

The Board shall not acquire any lands or property of the company or any easement therein or thereunder for the purposes of the aqueduct or line or lines of pipes (Aqueduct No. 1) by this Act authorised other than the easement granted by the company to the New River Company under the powers of the New River Company's Act 1897 and subject to the provisions of section 18 of that Act (For protection of Manchester Sheffield and Lincolnshire Railway Company) and no alteration shall be made in the structure of the existing subway constructed in and through the lands of the company in the parish of Willesden in pursuance of the said easement without the consent of the company under their common seal but the Board may lay down the aqueduct or line or lines of pipes (Aqueduct No. 1) by this Act authorised through the existing subway but not otherwise.

For protection of Metropolitan Railway Company.

38. For the protection of the Metropolitan Railway Company (in this section called "the company") the following provisions shall notwithstanding anything in this Act contained or shown on the deposited plans and sections unless otherwise agreed in writing between the Board and the company have effect (that is to say):—

The Board shall not acquire any lands or property of the company or any easement therein or thereunder for the purposes of the aqueduct or line or lines of pipes (Aqueduct No. 1) by this Act authorised other than the easement granted by the company to the New River Company under the powers of the New River Company's Act 1897 and subject to the provisions of section 16 of that Act for the protection of the company and no

alteration shall be made in the structure of the existing subway constructed in and through the lands of the company in the parish of Willesden in pursuance of the said easement without the consent of the company under their common seal but the Board may without further payment to the company lay down the aqueduct or line or lines of pipes (Aqueduct No. 1) through the said existing subway.

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39. For the protection of the Metropolitan District Railway Company (in this section referred to as "the district company") the following provisions shall unless otherwise agreed apply (that is to say) :—

For protection of Metropolitan District Railway Company.

(1) Notwithstanding anything contained in this Act or in any enactment incorporated therewith or shown on the deposited plans the Board shall not without the consent in writing of the district company under their common seal purchase or acquire any lands or property of the district company or any easement therein but the Board may without further payment to the district company lay down Aqueduct No. 1 by this Act authorised through the existing subways or culverts which are constructed under the Hounslow branch of the district company's railway in the parish of Heston and under the Harrow branch of that railway in the parish of Wembley and under any land in respect of which the Board already have an easement from the district company :

(2) The Board shall not except with the consent of the district company alter the said subways or culverts or either of them :

(3) The provisions of subsections (2) and (3) of section 11 of the New River Company's Act 1897 shall extend and apply for the protection of the district company to Aqueduct No. 1 by this Act authorised as if the said aqueduct were one of the works referred to in the said section.

40. For the protection of the London and South Western Railway Company (in this section referred to as "the South Western Company") the following provisions in addition to any other provision for their protection contained in this Act or in

For protection of London and South Western Railway Company.

A.D. 1913. — the Acts incorporated therewith shall unless otherwise agreed apply (that is to say):—

- (1) In constructing laying down altering improving enlarging extending maintaining repairing renewing or removing Railway No. 1 or Conduit No. 1 or any other works in exercise of any of the powers conferred by this Act or by any of the Acts incorporated wholly or partly therewith upon or under the railways works lands or property of the South Western Company or in any way affecting the structure of any bridge over or under such railways or the approaches thereto or any road which the South Western Company is or may be liable to maintain the same shall be done under the superintendence and to the reasonable satisfaction of the chief engineer of the South Western Company (in this section referred to as "the engineer") and in accordance with plans specifications sections and detailed drawings (in this section referred to as "the plans") previously submitted to and approved in writing by the engineer or in case of difference settled by arbitration in manner hereinafter provided Provided that if the engineer shall not within twenty-eight days after the plans shall have been submitted for his approval have notified to the Board in writing his disapproval thereof he shall be deemed to have approved the plans :
- (2) All such works in connexion with Railway No. 1 or Conduit No. 1 shall be done by and at the expense of the Board who shall also make good and restore to the reasonable satisfaction of the engineer any property or works of the South Western Company or any roads liable to be maintained by them affected by such works and shall to the like satisfaction maintain such roads (so far as the same may have been interfered with by the execution of such works) for three months after such restoration and for such further time (if any) not being more than twelve months in the whole as such roads shall continue to subside :
- (3) All such works in connexion with Railway No. 1 or Conduit No. 1 and any matters incidental to or con-

nected therewith shall be done and carried out by the Board at such times and in such manner as the engineer may reasonably direct and so as to cause as little injury as may be to the railways bridges works lands and property of the South Western Company or to any road which the South Western Company may be liable to maintain:

- (4) The Board shall give twenty-eight days notice in writing to the South Western Company before commencing any of such works affecting the railways works lands or property of the South Western Company or within ten yards of the South Western Company's boundary:
- (5) In the execution of any such works or incidental matters the Board shall not at any time or in any manner cause any injury damage or danger or any interruption impediment or delay to the safe passage and conduct of traffic over the railways of the South Western Company:
- (6) If any such injury damage danger interruption impediment or delay shall be caused by or be attributable to any of such works or incidental matters or by or to the acts or defaults of the Board or their officers servants contractors or workmen or any other person employed in connexion with such works or by or to the failure of any such works (such injury damage danger interruption impediment or delay not being the result of inevitable accident) the Board shall indemnify and save harmless the South Western Company from all and any claims and demands which may be made against the South Western Company in connexion with such injury damage danger interruption impediment delay or failure and shall also make compensation to the South Western Company in respect of any loss injury or damage which they may sustain or any expense to which they may be put in connexion with any such injury damage danger interruption impediment delay or failure and the amount of such compensation shall in case of difference be settled by arbitration in the manner herein-after provided:

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- (7) Notwithstanding anything contained in this Act or any Act incorporated wholly or partly therewith the Board shall not without the consent in writing of the South Western Company under their common seal purchase or acquire any of the lands or property of the South Western Company but the Board may acquire and the South Western Company shall if required grant to the Board an easement or right of constructing and maintaining works on through in or under such lands and property and the sum to be paid for the acquisition of such easement or right shall failing agreement be settled in the manner provided by the Lands Clauses Consolidation Act 1845 with respect to the purchase of lands otherwise than by agreement Provided always that where the Board shall have acquired any such easement or right as aforesaid nothing in this Act shall prevent the South Western Company from using their lands and property as they may think fit subject to such reasonable protection for the works of the Board as may be agreed or settled by arbitration in manner herein-after provided :
- (8) If by reason of the execution of any of the works of the Board it shall become necessary to reconstruct alter strengthen underpin or in anywise interfere with the structure of any bridge or other work of the South Western Company such alteration reconstruction underpinning or strengthening shall be carried out by the South Western Company at such times and in such manner as they may reasonably think expedient or necessary and the reasonable cost thereof shall be borne by the Board :
- (9) The Board shall bear and on demand pay to the South Western Company all reasonable costs of the superintendence by the South Western Company of the works and repairs referred to in subsection (1) of this section and of watching lighting supporting and protection of the railways and works of the South Western Company with reference to and during any such works or repairs but such superintendence shall not relieve the Board from liability for any accidents

which may be occasioned by or through any act or default of the Board or any contractor's agent or workman or other person or persons employed in or about the execution and carrying out of such works or repairs: A.D. 1913.

- (10) The Board shall not acquire any lands or property of the South Western Company or any easement therein or thereunder for the purposes of the aqueduct or line or lines of pipes (Aqueduct No. 1) by this Act authorised other than the easement granted by the South Western Company to the New River Company under the powers of the New River Company's Act 1897 and subject to the provisions of section 10 of that Act for the protection of the South Western Company and no alteration shall be made in the structure of the existing subway constructed in and through the lands of the South Western Company in the parish of Feltham in pursuance of the said easement or of the extension of such subway to be hereafter constructed by the Board at the expense of the South Western Company in pursuance of the provisions of section 22 of the South Western Railway Act 1911 without the consent of the South Western Company under their common seal but the Board may without further payment to the South Western Company lay down the aqueduct or line or lines of pipes (Aqueduct No. 1) by this Act authorised through the said existing subway and the extension thereof herein-before mentioned in and through the lands of the South Western Company:
- (11) Any dispute or difference which may arise between the South Western Company and the Board with reference to the provisions of this section or in any way arising thereout shall be settled by an arbitrator to be appointed by the President of the Institution of Civil Engineers on the application of the South Western Company and the Board or either of them.

41. For the protection of the Great Western Railway Company (in this section referred to as "the Great Western Company") the following provisions in addition to any other

For protection of Great Western Railway Company.

A.D. 1913. — provision for their protection contained in this Act or in the Acts incorporated therewith shall unless otherwise agreed in writing between the Great Western Company and the Board have effect (that is to say):—

- (1) Aqueduct No. 1 by this Act authorised shall be laid in the existing subways under the Brentford branch the main line the West Ealing and Greenford Loop and the Acton and Northolt Railway of the Great Western Company immediately alongside the existing main or mains in each such subway and no alteration other than such as the Great Western Company may require for the protection of their railways and works by reason of the construction of the works authorised by this Act shall be made to the structure of the said subways:

Notwithstanding anything in this Act or in the New River Company's Act 1897 or in any agreement or grant of easement contained the Board shall not except with the consent of the company be entitled to lay more than two mains one of a diameter not exceeding forty-two inches and the other of a diameter not exceeding sixty inches except as herein-after provided through any of the said subways including any main or mains now existing therein:

Any new main shall be laid in the said subways as near as may be at the same level as the existing main and in no case shall such new main project above the existing level of the ground:

- (2) For the purposes of the said Aqueduct No. 1 where the same is designed to be constructed under the said Brentford branch and main line nothing in this Act shall confer upon the Board any greater or other powers of entering upon taking or using any of the property of the Great Western Company than such as are exerciseable by the Board pursuant to the easements or rights acquired by the Governor and Company of the New River brought from Chadwell and Amwell to London (the predecessors of the Board) from the Great Western Company under the powers of the said Act of 1897 except that notwithstanding anything in the deed of grant of the said

easements or rights the Board may in addition to the forty-two inch main now laid in the existing subway under the said Brentford branch and under the portion of the said main line where only one main has been laid lay maintain repair cleanse use inspect and renew through the said subway and under the said portion of the said main line an additional main of an internal diameter not exceeding sixty inches :

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- (3) The Great Western Company shall not in respect of the laying maintaining repairing cleansing using inspecting or renewing of the said additional main referred to in the last preceding subsection of this section enforce any further payment by the Board than such as is provided for by the said deed of grant :
- (4) The construction of the said Aqueduct No. 1 under the West Ealing and Greenford branch of the Great Western Company shall be deemed to be in exercise of the easement or right granted by the Ecclesiastical Commissioners to the said governor and company subject to which the land upon which the said branch was constructed was conveyed to the Great Western Company and the deed of conveyance of the said land to the Great Western Company shall be read and have effect as applying to the said Aqueduct No. 1 as part of the works for the construction of which the said easement or right was so reserved and the Great Western Company shall not enforce from the Board any additional payment by way of compensation or other consideration in respect of the laying maintaining repairing cleansing using inspecting or renewing of the said Aqueduct No. 1 under the said West Ealing and Greenford branch :
- (5) The construction by the Board of the said Aqueduct No. 1 under the Acton and Northolt line of the Great Western Company shall be deemed to be in exercise of the easement or right referred to in subsection (7) of section 12 (For protection of Great Western Railway Company) of the New River Company's Act 1897 and the consideration paid by

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the said governor and company in respect of the construction by the Great Western Company of the subway under their Acton and Northolt Railway for the purposes of that Act shall be deemed to be in satisfaction of any consideration to which the Great Western Company might but for this enactment have been entitled in respect of the construction of the said Aqueduct No. 1 under the said railway :

- (6) Aqueduct No. 2 by this Act authorised shall be carried under the railways and property of the Great Western Company and for twenty-five feet on either side thereof by means of culverts which shall be constructed and thereafter maintained by the Board so as to admit of the said aqueduct being examined to ascertain the condition and state of repair thereof and to effect the repairs and renewals thereof and such culverts shall be constructed so as not to interfere with the drainage of the railways :
- (7) Subject to the foregoing provisions of this section the provisions of section 12 (For protection of Great Western Railway Company) of the New River Company's Act 1897 other than subsections (7) and (8) thereof shall extend and apply as if that section had been re-enacted in this Act in reference to the said Aqueducts Nos. 1 and 2 with the substitution of the expression "the Board" for the expression "the company" :
- (8) The Great Western Company if they so elect may themselves carry out at the costs charges and expenses of the Board any works upon or under or across or affecting their railways lands works or property except the provision of pipes and laying and jointing the same which shall be done by the Board :
- (9) If by reason of the execution of any of the works of the Board it shall become necessary to reconstruct alter strengthen or underpin any bridge or other work of the Great Western Company such alteration reconstruction strengthening or underpinning shall be carried out by the Great Western Company at such times and in such manner as they may reasonably think expedient or necessary and the reasonable cost thereof shall be borne by the Board :

(10) The Board shall bear and on demand pay to the Great Western Company all reasonable costs of the superintendence by the Great Western Company of the said works and repairs and of watching lighting and protection of the railways and works of the Great Western Company with reference to and during such works or repairs but such superintendence shall not relieve the Board from liability for any accidents which may be occasioned by or through any act or default of the Board or any contractor's agent or workmen or other person or persons employed in or about the execution and carrying out of such works or repairs: A.D. 1913.

(11) Any dispute or difference which may arise between the Great Western Company and the Board with respect to the provisions of this section or in any way arising thereout or as to any works affecting the Great Western Railway shall be settled by arbitration by an engineer to be appointed on the application of the Great Western Company and the Board or either of them by the President of the Institution of Civil Engineers and the Arbitration Act 1889 shall apply to such arbitration.

PART III.

LANDS.

42. Subject to the provisions of this Act the Board may enter upon take and use such of the lands delineated on the deposited plans and described in the deposited book of reference as they may require for the purposes of the works authorised by this Act to be constructed by them. Power to acquire lands for purposes of works.

43. Subject to the provisions of this Act the Board may purchase and take for the purposes herein-after specified the lands herein-after described which are delineated on the deposited plans and described in the deposited book of reference or any of them (that is to say):— Acquisition of lands for filter-beds and reservoir.

(A) For the purposes of filter-beds and other purposes connected therewith or incidental thereto—

(i) Lands in the county of Middlesex comprising sixty acres or thereabouts situate partly in the said

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parish of Hanworth and partly in the said parish of Sunbury and bounded on the east by the road from Sunbury to Hanworth on the north partly by the road from Hanworth to Feltham and on the south by the northern fence of the Staines Aqueduct of the Board;

(ii) Lands in the said parish of Hanworth and county of Middlesex forming a triangular plot comprising three acres or thereabouts and bounded on the north by the southern fence of the said Staines Aqueduct on the south-east by the said road from Sunbury to Hanworth and on the south-west by the filter-beds and works of the Board in the said parish of Sunbury and premises owned or occupied by them in connexion therewith:

(B) For the purposes of their existing Rock Hill Reservoir—

Lands in the parish and metropolitan borough of Camberwell in the county of London comprising $1\frac{1}{2}$ acres or thereabouts abutting on the south side of the street known as Rock Hill and on the west side of the street known as Sydenham Hill such lands forming the site of the said existing reservoir and premises connected therewith and being in the occupation of the Board.

Persons under disability may grant easements &c.

44. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Board 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 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 grants and to such easements rights and privileges as aforesaid respectively.

Power to acquire easements only.

45. The Board may in lieu of acquiring any lands for the purposes of so much of the conduits aqueducts or lines of pipes by this Act authorised as will be laid underground acquire such easements and rights in such lands as they may require for the purpose of constructing placing laying inspecting maintaining

cleansing repairing conducting managing renewing or enlarging conduits aqueducts or pipes and may give notice to treat in respect of such easements and rights and may in such notice describe the nature thereof and the provisions of the Lands Clauses Acts shall apply to such easements and rights as fully as if the same were lands within the meaning of such Acts :

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Provided that as regards any lands taken or used by the Board for the purpose of any such conduits aqueducts or pipes where such conduits aqueducts or pipes are laid underground the Board shall not (unless they give notice to treat for such lands and not merely for easements therein) be required or entitled to fence off or sever such lands from the adjoining lands but the owners or occupiers for the time being shall at all times after the completion of the works have the same rights of passing over such lands for all purposes of or connected with the use or enjoyment of the adjoining lands as if such lands had not been taken or used by the Board :

Provided also that (except as to land forming part of a street) nothing in this section contained shall authorise the Board to acquire by compulsion any such easement in any case in which the owner in his particulars of claim shall require the Board to acquire the lands in respect of which they have given notice to treat for the acquisition of an easement only and (except as aforesaid) every notice to treat for the acquisition of an easement shall be endorsed with notice of this proviso :

Provided also that where the Board shall have acquired an easement or right of constructing or maintaining works upon the lands or property of any railway company nothing in this Act shall prevent such railway company from using such lands or property for railway purposes subject to such reasonable protection for the works of the Board as may be agreed or settled by arbitration.

46. The following provisions shall at the option of the Board be applicable with regard to all or any of the lands to be acquired by the Board for the purposes of such parts of the conduits aqueducts or lines of pipes by this Act authorised as are to be laid underground (that is to say) :—

Rights of passage over lands acquired by Board to be reserved in certain cases.

- (1) The Board shall not be required to fence off or sever such lands from any adjoining lands of the vendor but they shall upon the acquisition of such first

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mentioned lands grant to the vendor thereof and all persons lawfully claiming or to claim through or under him a full and free right of way or passage thereover at all times (except at such times as the said conduits aqueducts or lines of pipes shall be in actual course of construction repair or renewal) and either with or without horses carts carriages or waggons for all purposes of or connected with the use or enjoyment of such adjoining lands of the same description in all respects as he or they would have enjoyed or been entitled to exercise if the Board had not acquired such lands and also the right of constructing maintaining and using across the lands so acquired by the Board (but in such position and in such manner as the Board shall in writing first approve) roadways dedicated or intended eventually to be dedicated to the use of the public:

- (2) The jury arbitrators or other authority to whom the question of disputed compensation shall be referred shall in assessing the amount of such compensation take into account the provisions of this section and the benefits to accrue to the vendor thereunder:
- (3) The provisions of this section shall not apply with respect to any lands unless such provisions shall be stated in the notice to treat for the acquisition thereof.

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

47. And whereas in the construction of the works by Part II. of this Act authorised or otherwise in the exercise by the Board of the powers of this Act it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Board and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

- (1) The owner of and persons interested in any of the properties whereof the whole or part is described in the First Schedule to this Act and whereof a portion only is required for the purposes of the Board or each or any of them are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties":

- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the Board that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the Board such portion only without the Board being obliged or compellable to purchase the whole the Board paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the Board allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Board have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Board the portion which the tribunal shall have determined to be so severable without the Board being obliged or compellable to purchase the whole the Board paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal:
- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto

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the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner:

- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the Board may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Board in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845.

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

Limit of time
for compul-
sory pur-
chase of
lands &c. by
Board.

48. The powers of the Board for the compulsory purchase or taking of lands or easements under this Act (A) for the purposes of Aqueduct No. 2 by this Act authorised shall cease after the expiration of seven years from the passing of this Act

(B) for the purposes of the wharf or landing stage by this Act authorised shall cease after the expiration of three years from the passing of this Act and (c) for all other purposes shall cease after the expiration of five years from the passing of this Act. A.D. 1913.

49. The quantity of land to be taken by the Board under the powers of this Act by agreement in connexion with the railways for the extraordinary purposes of their undertaking mentioned in the Railways Clauses Consolidation Act 1845 shall not exceed twenty-five acres but nothing in that Act or in this Act shall exempt the Board from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land so taken. Lands for extraordinary purposes.

50. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book of reference the Board after giving ten days notice to the owners lessees and occupiers of the lands in question may apply to two justices acting for the county in which such lands are situate (or in the case of lands situate within the metropolitan police area to a metropolitan police magistrate instead of to two justices) for the correction thereof and if it appear to the justices or magistrate that the omission mis-statement or wrong description arose from mistake they or he shall certify the same accordingly and shall in their or his certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the clerk of the peace for the county in which the said lands are situate and such certificate shall be kept by such clerk of the peace with the other documents to which the same relates and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Board to take the lands and execute the works in accordance with such certificate. Correction of errors in deposited plans and book of reference.

51. 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 erected or for or in respect of any interest in the lands created after the first day of July one thousand nine hundred and twelve if in the Compensation in case of recently altered buildings acquired by Board.

A.D. 1913. — 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.

Costs of arbitration in certain cases.

52. The tribunal to whom any question of disputed purchase-money or compensation under this Act is referred shall if so required by the Board award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Board by the claimant giving sufficient particulars and in sufficient time to enable the Board to make a proper offer and if the tribunal shall be of opinion that no such statement giving sufficient particulars and in sufficient time shall have been delivered and that the Board has been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be borne by the claimant:

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days notice to the Board to amend the statement in writing of the claim delivered by him to the Board in case of discovery of any error or mistake therein or for any other reasonable cause (such error mistake or cause to be established to the satisfaction of the judge after hearing the Board if they object to the amendment) and such amendment shall be subject to such terms enabling the Board to investigate the amended claim and to make an offer de novo and as to postponing the hearing of the claim and as to costs of the inquiry and otherwise as to such judge may seem just and proper under all the circumstances of the case:

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.

As to private rights of way over lands taken compulsorily.

53. All private rights of way over any lands which shall under the powers of this Act be acquired compulsorily shall as from the date of such acquisition be extinguished Provided that the Board shall make full compensation to all parties interested in respect of any such rights and such compensation shall be settled in manner provided by the Lands Clauses

Acts with reference to the taking of lands otherwise than by agreement. A.D. 1913.

54. Notwithstanding anything in the Lands Clauses Acts or in any other Act or Acts to the contrary the Board may retain hold and use for such time as they may think fit and may sell lease exchange or otherwise dispose of in such manner and for such consideration and purpose and on such terms and conditions as they may think fit and in case of sale either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands acquired by them under the powers of this Act or any interest therein and may sell exchange or dispose of any rents reserved on the sale exchange lease or disposition of such lands and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take money for equality of exchange.

Power to
retain sell
&c. lands.

PART IV.

REVIVAL OF POWERS AND EXTENSION OF TIME.

55. The powers of the Board (as successors in title of the New River Company) for and in connexion with and incidental to the construction and completion of the aqueducts or lines of pipes distinguished on the deposited plans and sections referred to in the New River Company's Act 1896 as aqueducts or lines of pipes (No. 13) and (No. 14) and described in section 5 of that Act and authorised by that Act are hereby revived and continued so far as such powers have not already been exercised and may be exercised at any time before the expiration of three years from the passing of this Act.

Revival of
powers for
construction
of works.

56. The powers of the Board (as successors in title of the New River Company) for and in connexion with and incidental to the compulsory acquisition or user under the provisions of the New River Company's Act 1896 of lands and easements for the purposes of the works referred to in the section of this Act of which the marginal note is "Revival of powers for construction of works" are hereby revived and continued and may be exercised at any time before the expiration of three years from the passing of this Act.

Revival of
powers for
compulsory
acquisition
of lands.

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 Extension of
 time for com-
 pletion of
 work and
 revival of
 powers for
 construction
 of other
 works autho-
 rised by East
 London
 Waterworks
 Act 1900.

57.—(1) The time limited by the East London Waterworks Act 1900 for the construction of the storage reservoir (Reservoir No. 2) described in and authorised by that Act as extended by the Metropolitan Water Board Act 1906 is hereby further extended till the twentieth day of July one thousand nine hundred and twenty-eight and the said Acts shall be read and have effect as if the said time as so extended and further extended had been the time limited by the first-mentioned Act for the construction of the said reservoir.

(2) The powers of the Board (as successors in title of the East London Waterworks Company) for and in connexion with and incidental to the construction and completion of the conduits or lines of pipes (Conduit No. 2) (Conduit No. 3) and (Conduit No. 4) described in and authorised by the said East London Waterworks Act 1900 are hereby revived and continued and may be exercised at any time before the expiration of seven years from the passing of this Act.

Applying
 provisions
 of Railways
 Clauses Act
 1863 as to
 extension of
 time.

58. Part II. of the Railways Clauses Act 1863 (relating to extension of time) shall be deemed to be incorporated with this Part of this Act and for the purposes of this Part of this Act the expressions "railway" and "railway and works" in the said Part II. of the Railways Clauses Act 1863 shall mean the works mentioned in subsection (1) of the section of this Act of which the marginal note is "Extension of time for completion of work and revival of powers for construction of other works authorised by East London Waterworks Act 1900" and the expression "the company" shall mean the Board.

For protec-
 tion of Great
 Eastern
 Railway
 Company.

59. Nothing shown on the deposited plans or sections or contained in this Act with respect to any lands of the Great Eastern Railway Company shall alter prejudice or affect the provisions of an agreement in writing dated the second day of September one thousand nine hundred and twelve and made between the Great Eastern Railway Company of the one part and the Board of the other part.

PART V.

POWERS TO SUNBURY-ON-THAMES URBAN DISTRICT COUNCIL AND STAINES RURAL DISTRICT COUNCIL.

Power to
 Sunbury
 Council to
 purchase

60. Subject to the provisions of this Act the Sunbury Council may purchase take or use for the purpose of widening and reconstructing so much of Littleton Lane and Charlton

Road as is in the district of the said council the lands in the parish of Sunbury in the county of Middlesex next herein-after described which are delineated on the deposited plans and described in the deposited book of reference or any of them (that is to say):—

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—
lands for road
widening.

- (i) A strip of land of a uniform width of three yards or thereabouts situate on and abutting upon the eastern side of Charlton Road and extending from a point in the inclosure numbered on the $\frac{1}{2500}$ scale Ordnance map 2nd edition 1895 (Middlesex Sheet XXIV. 8) 24 in the said parish to the northern side of the footpath crossing the southern end of the inclosure numbered on the said Ordnance map 41 in the said parish:
- (ii) A strip of land of a uniform width of nine yards or thereabouts situate on and abutting upon the southern and eastern sides of Charlton Road aforesaid forming part of the inclosure numbered on the Ordnance map lastly herein-before referred to 38 in the said parish:
- (iii) A strip of land of a uniform width of nine yards or thereabouts situate on and abutting upon the western side of Charlton Road aforesaid and the northern side of Littleton Lane and extending from the fence which formerly divided the inclosure numbered on the Ordnance map lastly herein-before referred to 37 in the said parish from the southern side of a pond formerly situate between the south-eastern side of the said inclosure and Charlton Road aforesaid to the western boundary fence of the inclosure numbered on the said Ordnance map 35 in the said parish:
- (iv) A strip of land of a uniform width of six yards or thereabouts situate on and abutting upon the southern side of Littleton Lane aforesaid and forming part of the inclosure numbered on the Ordnance map lastly herein-before referred to 34 in the said parish:
- (v) A strip of land of a uniform width of eleven yards or thereabouts situate on and abutting upon the northern side of Littleton Lane aforesaid and extending from the eastern boundary fence of the inclosure numbered on the Ordnance map lastly herein-before referred to 32 in the said parish to the centre of the stream or ditch situate on the western boundary of that inclosure.

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Power to
Staines
Council to
divert Little-
ton Lane.

61. Subject to the provisions of this Act the Staines Council may make and maintain in the line and according to the levels shown on the deposited plans and sections the work in the county of Middlesex herein-after described and may enter upon take and use such of the lands delineated on the deposited plans relating thereto and described in the deposited book of reference as they require for the purposes thereof The said work is the following (that is to say):—

A diversion of the road known as Littleton Lane commencing in the parish of Littleton at a point 7 chains or thereabouts eastward of the north-eastern corner of the field numbered on the $\frac{1}{2500}$ scale Ordnance map 2nd edition 1895 (Middlesex Sheet XXIV. 8) 63 in that parish and terminating in the parish of Shepperton at a point 7 chains or thereabouts eastward of the south-eastern corner of the field numbered on the said Ordnance map 3 in the said parish of Shepperton.

Stopping up
part of Little-
ton Lane.!

62. The Staines Council may in connexion with the road diversion authorised by this Part of this Act stop up and cause to be discontinued as a road so much of Littleton Lane as is situate in the parish of Shepperton and as from the completion of the new portion of road all public rights of way over or along the said portion of the existing road shall be extinguished.

Period for
completion of
road diver-
sion by
Staines
Council.

63. If the road diversion authorised by this Part of this Act is not completed within three years from the passing of this Act then on the expiration of that period the powers by this Part of this Act granted to the Staines Council for the making thereof or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Owners may
be required
to sell to
Sunbury
Council and
Staines
Council parts
only of cer-
tain lands
and build-
ings.

64. And whereas in the construction of works and the acquisition of lands by this Part of this Act authorised it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of the Sunbury Council or of the Staines Council as the case may be (each of which councils is in this section referred to as "the council") and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect:—

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in

the first or second part of the Second Schedule to this Act and whereof a portion only is required for the purposes of the council or each or any of such owners and persons are in this section included in the term "the owner" and the said properties are in this section referred to as "the scheduled properties":

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- (2) If for twenty-one days after the service of notice to treat in respect of a specified portion of any of the scheduled properties the owner shall fail to notify in writing to the council that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required to sell and convey to the council such portion only without the council being obliged or compellable to purchase the whole the council paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise:
- (3) If within such twenty-one days the owner shall by notice in writing to the council allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (herein-after referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the council have compulsory powers of purchase) can be so severed:
- (4) If the tribunal determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the council the portion which the tribunal shall have determined to be so severable without the council being obliged or compellable to purchase the whole

A.D. 1913.

the council paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the tribunal :

- (5) If the tribunal determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto the tribunal may in its absolute discretion determine and order that the costs charges and expenses incurred by the owner incident to the determination of any matters under this section shall be borne and paid by the owner :
- (6) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not they shall determine that any other portion can be so severed) the council may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice :
- (7) If the tribunal determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the council in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the tribunal shall having regard to the circumstances of the case and their final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled properties or any part thereof is or is not or but for this section would or would not

be subject to the provisions of section 92 of the Lands Clauses Consolidation Act 1845. A.D. 1913.

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

65.—(1) As from the completion of the new portion of road shown on the deposited plans in connexion with the road diversion authorised by this Part of this Act the surface of the portion of the existing road stopped up under the powers of this Part of this Act shall by virtue of this Act vest in the owner or owners of the lands adjoining the same on either side thereof for the same estate or interest as such owner or owners possess in such adjoining lands together with the site and soil of the said portion of the existing road so far as such site and soil are not already vested in such owner or owners :

Vesting of
part of Little-
ton Lane
stopped up.

Provided that if and so far as the lands adjoining the said portion of the existing road on each side thereof are vested in different owners the portion of the said surface site and soil vested in such owners respectively by virtue of this section shall be that part thereof which adjoins the lands of such owners respectively and extends to the centre of the existing road.

(2) Where any lands are by virtue of this section vested in the owner of any lands acquired by the Staines Council under the powers of this Part of this Act the tribunal to whom any question of disputed purchase money or compensation for or in respect of such acquisition as last aforesaid is referred shall assess and determine the value of the land so vested as aforesaid in such owner and to the extent of the value so assessed and determined such vesting shall be deemed to be wholly or in part (as the case may be) in satisfaction and discharge of the purchase money and compensation payable to such owner for or in respect of the acquisition by the Staines Council of any lands of such owner.

(3) For the purposes of the section of this Act of which the marginal note is "Payments by Board to Sunbury Council and Staines Council" any value so assessed and determined as aforesaid shall be deemed to be a sum received by the Staines Council.

66. The sections of this Act of which the marginal notes are next herein-after set forth shall extend and apply to and with respect to the execution by the Staines Council of the road

Application
of certain
provisions of
Act to Sun-

A.D. 1913.
Sunbury Council and
Staines Council.

diversion authorised by this Part of this Act and the purchase by the Sunbury Council and the Staines Council respectively of lands under the powers of this Part of this Act and to the said councils respectively in relation thereto as if those sections had been in terms repeated in this Part of this Act with the substitution of references to the Sunbury Council or the Staines Council (as the case may require) for references to the Board (that is to say):—

Power to deviate;

Temporary stoppage of roads and footpaths;

Alteration of position of mains and pipes;

Underpinning of houses near works;

Persons under disability may grant easements &c.;

Correction of errors in deposited plans and book of reference;

Compensation in case of recently altered buildings acquired by Board;

Costs of arbitration in certain cases;

As to private rights of way over lands taken compulsorily.

Payments by
Board to
Sunbury
Council and
Staines
Council.

67.—(1) The Board shall bear and on demand repay—

(A) to the Sunbury Council the costs and expenses reasonably incurred by that council in the purchase under the powers of this Act of lands for widening throughout up to a width of thirty feet and in widening and reconstructing up to that width so much of Littleton Lane and Charlton Road as is within their district together with such sum (which shall be deemed to be part of such costs and expenses as aforesaid) by way of compensation to the Sunbury Council in respect of any lands already vested in that council which may be required for the purposes of such widening and reconstruction as aforesaid as may be agreed between the Board and the Sunbury Council or as failing such agreement may be determined by arbitration as herein-after provided; and

(B) to the Staines Council the costs and expenses reasonably incurred by that council in executing the road

diversion and construction authorised by this Part of this Act and in the purchase under the powers of this Act of the lands required therefor Provided that if the whole or any part of the new road to be constructed in connexion with the said road diversion shall exceed thirty feet in width the sum to be repaid by the Board to the Staines Council shall be such part only of the said costs and expenses as shall bear to the total amount thereof the same relation as thirty feet bears to the greatest width of the said new road. A.D. 1913.

(2) The amount of such costs and expenses as aforesaid shall be ascertained after taking into account all sums (if any) received by or payable to the Sunbury Council or the Staines Council respectively under or in exercise of the powers of this Act.

(3) Notwithstanding anything in this Act or in any Act incorporated therewith the Sunbury Council or the Staines Council shall not without the consent of the Board settle by agreement with the owner of or other persons interested in any lands to be acquired by the said councils respectively under the powers of this Act the amount of the purchase money or compensation to be paid to such owner or persons in respect of such acquisition or otherwise in respect of the exercise of the powers conferred by this Act upon the said councils respectively.

(4) The payments to be made by the Board under this section shall be deemed to be in full satisfaction and discharge of all obligations and liabilities of the Board under section 45 (For protection of Sunbury-on-Thames Urban District Council) and section 47 (For further protection of Staines Rural District Council) respectively of the Metropolitan Water Board (New Works) Act 1911 and those sections shall be and are hereby repealed.

(5) If any difference shall arise between the Board on the one hand and the Sunbury Council or the Staines Council on the other hand under the provisions of this section or with regard to anything to be done or not to be done thereunder such difference shall be referred to and determined by an arbitrator to be appointed in default of agreement by the President of the

A.D. 1913. Institution of Civil Engineers on the application of either of the parties after notice in writing to the other.

Limit of time for compulsory purchase of lands under this Part of Act.

68. The powers of the Sunbury Council and the Staines Council respectively for the compulsory purchase or taking of lands under this Part of this Act shall cease after the expiration of three years from the passing of this Act.

As to expenses of Sunbury Council and Staines Council not repayable by Board.

69. If the Sunbury Council and the Staines Council or either of them shall incur any expenses in the exercise of the powers of this Part of this Act or (as regards the Sunbury Council) in the widening and reconstruction of Littleton Lane and Charlton Road or either of them which shall not be repayable to such councils or council under the provisions of the section of this Act of which the marginal note is "Payments by Board to Sunbury Council and Staines Council" such expenses shall be deemed to be expenses incurred by such councils or council under and for the purposes of the Public Health Act 1875.

For protection of Lord Islington.

70. For the protection of the Right Honourable the Lord Islington and his successors in title (all of whom are in this section referred to as and included in the expression "the owner") the following provisions shall unless otherwise agreed in writing between the owner and the Sunbury Council apply and have effect (that is to say):—

- (1) Notwithstanding anything contained in this Act or shown on the deposited plans the Sunbury Council shall not purchase take or use any part of the property numbered on the said plans 14 in the parish of Sunbury or any greater part of the properties respectively numbered on the said plans 15 16 17 18 and 19 in the said parish than the portions thereof shown by a green colour on the plan marked "I" signed by the Right Honourable the Lord Clinton the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred (in this section referred to as "the signed plan") of which plan one copy has been deposited in the Parliament Office of the House of Lords and another copy has been deposited in the Private Bill Office of the House of Commons:

The portion of the said inclosure numbered 15 so to be purchased taken or used by the Sunbury Council shall not exceed in any part five yards in width:

(2) The owner shall sell to the Sunbury Council and the Sunbury Council shall purchase from the owner for the purpose of widening Littleton Lane and Charlton Road respectively such portions as are shown on the signed plan by a green colour of—

A.D. 1913.

(A) the field on the southern side of Littleton Lane opposite the inclosure numbered on the deposited plans 14 in the said parish of Sunbury; and

(B) the inclosure in the said parish situate between the southern boundary wall of the premises known as Charlton Court and the northern side of the pond belonging to the Sunbury Council and abutting upon Charlton Road aforesaid:

Provided that the owner shall not be required to sell and the Sunbury Council shall not without the consent of the owner purchase any greater quantity of the field (A) referred to in this subsection than shall be necessary for widening Littleton Lane to a clear width of thirty feet excluding any ditch on either side thereof:

(3) The Sunbury Council shall—

(A) erect an unclimbable iron fence of a height of four feet six inches along the northern and western side of the portion of Charlton Road and Littleton Lane as widened which lies between the points respectively marked on the signed plan A and F except that at the said pond abutting upon Charlton Road the fence shall be erected round the western side of the said pond;

(B) provide in that fence a gate in a corresponding position to that of the existing gate affording access to the inclosure numbered on the deposited plans 15 in the said parish; and

(C) provide a wicket gate opposite the entrance to each of the cottages erected on the said inclosures respectively numbered 17 and 18 on the said plan and one wicket gate to the pair of cottages adjoining:

(4) The fence to be erected by the Sunbury Council under the provisions of subsection (3) of this section shall be erected between the points B and E on the signed

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—

plan partly along the line of the existing fence of the inclosure numbered on the deposited plans 17 and partly on Charlton Road as now existing as shown by the green line on the signed plan between the said points B and E and from and after the erection of the said fence the portion of road which will thereafter lie on the west side of the said fence and the site and soil thereof shall be added to and form part of the said inclosures respectively and be and remain vested in the owner in fee simple free of all cost and all public rights of way and other rights over or along the said portion of road shall by virtue of this Act be extinguished :

- (5) Forthwith after the Sunbury Council shall have acquired the portion of the inclosure numbered on the deposited plans 19 in the said parish which is to be purchased or taken by them in accordance with the provisions of this section they shall erect between the points marked C and D on the signed plan along the northern and western boundary of that part of the said inclosure which is not so purchased or taken a wall of similar height and construction to that of the existing boundary wall of the said inclosure and shall provide in that wall a gateway and gate at such position near the south western end of the said wall as may be directed by the owner :
- (6) The Sunbury Council shall not obstruct or interfere with any part of the open ditch which passes from the said inclosure numbered on the deposited plans 19 in the said parish to Charlton Road aforesaid other than so much of the said ditch as is constructed through the portion of that inclosure to be acquired by the Sunbury Council as aforesaid but nothing in this subsection shall prevent or interfere with the execution by the Sunbury Council of such works as may be necessary for carrying the widened road over the last-mentioned portion of the said ditch :
- (7) Forthwith after the Sunbury Council shall have acquired the portion of the said inclosure numbered on the deposited plans 16 in the said parish which is to be purchased or taken by them in accordance with the

provisions of this section they shall erect an iron unclimbable fence of a height of four feet six inches along the northern boundary of the said inclosure between the eastern and western extremities thereof: A.D. 1913.

- (8) The Sunbury Council shall excavate and provide upon that part of the field (A) referred to in subsection (2) of this section which is not purchased by the Sunbury Council and along the northern boundary of the said part a ditch of three feet in width and shall construct on the southern side of the said ditch a bank of a height of not more than two feet six inches and not less than one foot six inches and shall plant thereon a quick-set hedge and erect on each side of the said hedge a fence of posts and rails for the protection thereof while growing :
- (9) The amount of the purchase money and compensation to be paid to the owner in respect of the purchase taking and use of lands of the owner in accordance with the provisions of this section shall be the sum of twenty-five pounds which shall be in full satisfaction and discharge of all claims and demands by the owner in respect of or consequent upon or arising out of such purchase taking and use :
- (10) All expenses incurred by the Sunbury Council in providing and erecting the fencing and in carrying out the other works described in this section shall be borne and paid by the Board.

PART VI.

FINANCIAL PROVISIONS.

71.—(1) The Board may from time to time (in addition to any moneys which they are now or may by any other Act which may be passed during the present session of Parliament be authorised to borrow) borrow at interest any sum or sums of money for the purposes herein-after mentioned not exceeding the respective amounts following (that is to say):— Power to borrow.

- (A) For paying the costs charges and expenses of and in relation to this Act as herein-after defined the sum requisite for that purpose ;

A.D. 1913.
 —

- (B) For the purchase of lands the construction of reservoirs and filter beds and the diversion of streams under the powers of this Act the sum of four hundred and fifty-six thousand pounds;
- (C) For the construction of the railways the wharf or landing stage and the aqueducts conduits cuts or lines of pipes by this Act authorised and of the works referred to in the section of this Act of which the marginal note is "Revival of powers for construction of works" the sum of six hundred and twenty thousand pounds;
- (D) For the provision of locomotives rolling stock plant and apparatus for and in connexion with the railways and of machinery for and in connexion with the works by this Act authorised the sum of one hundred and eighty thousand pounds;
- (E) For the purpose of paying to the Sunbury Council and the Staines Council respectively such costs and expenses as are payable to those councils respectively by the Board pursuant to the provisions of the section of this Act of which the marginal note is "Payments by Board to Sunbury Council and Staines Council" the sum requisite for that purpose;
- (F) With the sanction of the Local Government Board such further sum or sums as may be required for the purposes of this Act.

(2) In order to secure the repayment of the moneys borrowed under this section and the payment of the interest thereon the Board may mortgage or charge the water fund and all the revenues of the Board.

Periods for
 and mode of
 payment off
 of money
 borrowed.

72. The Board shall pay off all moneys borrowed by them under this Act within the respective periods following (that is to say) :—

As to moneys borrowed for the purpose (A) mentioned in the section of this Act of which the marginal note is "Power to borrow" within five years from the passing of this Act;

As to moneys borrowed for the purposes (B) mentioned in the said section within sixty years from the date or respective dates of borrowing;

As to moneys borrowed for the purposes (c) mentioned in the said section within fifty years from the date or respective dates of borrowing; A.D. 1913.

As to moneys borrowed for the purposes (D) mentioned in the said section within twenty years from the date or respective dates of borrowing;

As to moneys borrowed for the purpose (E) mentioned in the said section within sixty years from the date or respective dates of borrowing;

As to moneys borrowed with the sanction of the Local Government Board as mentioned in the said section within such period from the date or respective dates of borrowing as that board may determine:

And such repayment shall be effected in one or other of the following methods as may be determined by the Board (that is to say):—

Either by equal yearly or half-yearly instalments of principal or of principal and interest;

Or by means of a sinking fund;

Or partly by such instalments and partly by a sinking fund:

Every such instalment and payment to the sinking fund shall be paid out of the water fund and the first payment by instalments or to the sinking fund shall be made within one year from the time of the borrowing of the money in respect of which such payment is made.

73. Section 27 (Provisions as to local inquiries) of the Act of 1902 shall apply for the purposes of this Act and the following sections of the Metropolitan Water Board Act 1906 and the schedule to that Act shall extend and apply to and with respect to moneys authorised to be borrowed under the powers of this Act and the repayment thereof as if such sections and schedule had been in terms re-enacted in this Act:—

Application of provisions of Act of 1902 and Metropolitan Water Board Act 1906.

Marginal Note.	No. of Section.
Formation maintenance and application of sinking fund	8
Increase reduction or discontinuance of payments to sinking fund	9
Surplus of sinking fund	10
Power to re-borrow	11
Form of mortgage	12

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Marginal Note.	No. of Section.
Register of mortgages - - - - -	13
Transfer of mortgages - - - - -	14
For protection of lenders - - - - -	15
Board not to regard trusts - - - - -	16
Application of borrowed moneys - - - - -	17
Power to raise money by creation and issue of additional amounts of Metropolitan Water Stock - - - - -	18
Receiver - - - - -	19
Return to Local Government Board as to repayment of debt - - - - -	20

And all references in the said sections or any of them to "the prescribed period" shall be deemed to be references to the periods by this Act respectively prescribed for the repayment of moneys borrowed under the powers thereof.

Expenses of execution of Act.

74. All expenses incurred by the Board in the execution of the purposes of this Act and not otherwise provided for including the payment of interest on any stock issued or moneys borrowed for those purposes and the redemption of such stock and the repayment of such moneys (but excluding expenses properly chargeable to capital and payable out of borrowed moneys) shall be paid out of the water fund.

PART VII.

MISCELLANEOUS PROVISIONS.

For protection of Edmund Probyn Godson.

75. For the protection of Edmund Probyn Godson or other the owner or owners of the property known as Castlewood in the parish of Eltham in the county of Kent (in this section referred to as "the owner") the following provisions shall unless otherwise agreed in writing between the Board and the owner and notwithstanding any other provision in this Act have effect (that is to say) :—

(1) Subsection (2) of the section of this Act of which the marginal note is "Period for completion of works by Board" shall as regards any works to be constructed under the powers of this Act upon the property of the owner be read and have effect as if the period of four years were therein specified instead of the period of fifteen years :

(2) The section of this Act of which the marginal note is "Limit of time for compulsory purchase of lands &c.

by Board" shall in relation to the property of the owner be read and have effect as if the period of two years were therein specified instead of the period of five years.

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76.—(1) Where any sum or sums of money not exceeding in the aggregate one hundred pounds shall be due from the Board to any employee or pensioner of the Board at the time of the decease of such employee or pensioner the Board may if they think fit without requiring probate of the will or letters of administration of the estate of such employee or pensioner in their discretion pay or distribute the sum or sums of money so due as aforesaid or any part thereof to or among any of the persons herein-after described or indicated (that is to say):—

Power to Board to pay moneys due to deceased employees and pensioners to certain persons without grant of probate or letters of administration.

- (A) The persons named in the will of the employee or pensioner as executors;
- (B) The widow of the employee or pensioner;
- (C) The persons entitled to the effects of the employee or pensioner according to the statutes of distribution;
- (D) Any person who has paid the funeral expenses of the employee or pensioner;
- (E) Any person undertaking to maintain the children or child of the employee or pensioner;
- (F) Any creditor of the employee or pensioner.

(2) The receipt of any of the persons mentioned in the preceding subsection of this section shall be a good discharge to the Board for the sum paid and any such receipt may be signed by any widow or next-of-kin above the age of sixteen years notwithstanding that she or he has not attained the age of twenty-one years.

77.—(1) If the total estate of any deceased employee or pensioner of the Board after deduction of debts and funeral expenses exceeds one hundred pounds any moneys which may under the provisions of the section of this Act of which the marginal note is "Power to Board to pay moneys due to deceased employees and pensioners to certain persons without grant of probate or letters of administration" be paid or distributed by the Board to or among any person or persons other than the legal personal representative of such deceased

Estate duty to be payable in certain cases on money so paid.

A.D. 1913. — employee or pensioner shall notwithstanding such payment or distribution be for the purposes of estate duty treated as passing under the will or intestacy of the deceased employee or pensioner.

(2) The Board before paying or distributing any moneys due to any deceased employee or pensioner to or among any person or persons other than the legal personal representative of such deceased employee or pensioner shall require—

(A) Where the total estate of the deceased employee or pensioner including the amount of such moneys does not after deduction of debts and funeral expenses exceed the value of one hundred pounds a declaration to that effect by the claimant or one of the claimants or other the person or persons to or among whom the Board see fit to pay or distribute such moneys;

(B) Where the total estate of the deceased employee or pensioner including the amount of such moneys but after deduction of debts and funeral expenses exceeds one hundred pounds the production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and of a duly stamped receipt for the legacy or succession duty payable in respect of such moneys or of a certificate stating that no legacy or succession duty is payable.

As to payment by Board of salary pension &c. payable to persons mentally disabled.

78. When any sum in respect of salary wages pension superannuation or other allowance or annuity is payable by the Board to any person being or having been an employee or pensioner of the Board or to any widow or child of a deceased employee or pensioner and the person to whom such sum is payable is certified by a justice or minister of religion and by a medical practitioner to be unable by reason of mental disability to manage his or her affairs the Board may pay the whole or so much as they may think fit of the said sum to the institution or person having the care of the disabled person and may pay the surplus if any or such part thereof as the Board may think fit for or towards the maintenance and benefit of the wife or husband and relatives of the disabled person The Board shall be discharged from all liability in respect of any sums

paid in accordance with the provisions of this section whether before or after the passing of this Act. A.D. 1913.

79.—(1) The Board may if they think fit in cases not within the Workmen's Compensation Act 1906 grant a gratuity of any sum (not exceeding one year's pay) to any of their employees who may be disabled or injured in their service or may become incapacitated through age or other infirmity or to the widow or family of any such employee who may die in their service. Power to grant gratuities in certain cases.

(2) Every such gratuity shall be charged on and paid out of the water fund.

80. It shall be lawful for the Board to make contributions to the funds of any hospital infirmary nursing institution convalescent home dispensary or other similar institution in which any employee of the Board receives treatment provided that the aggregate amount of such contributions in any financial year shall not exceed the sum of two hundred and fifty pounds. Power to Board to contribute to funds of hospitals &c.

81. The sum of two hundred and nine thousand five hundred and seventy-two pounds thirteen shillings and threepence (being the aggregate amount as certified by the district auditor of the deficiencies on revenue account in the water fund in respect of the financial years respectively ended the thirty-first day of March one thousand nine hundred and nine the thirty-first day of March one thousand nine hundred and ten the thirty-first day of March one thousand nine hundred and eleven and the thirty-first day of March one thousand nine hundred and twelve) shall be deemed to be a sum required to meet a deficiency in the water fund within the meaning of section 15 (Expenses of Board) of the Act of 1902 and the said section shall apply and have effect accordingly in relation to the said sum and for the purposes of this section the expression "the preceding sixth day of April" in the said section 15 shall be construed as meaning the sixth day of April one thousand nine hundred and twelve. As to deficiencies in water fund in respect of certain financial years.

Any precept issued by the Board for the purposes of this section may require that the amount specified in such precept shall be paid to the Board on or before the thirtieth day of April one thousand nine hundred and fourteen either in one sum or (at the option of the authority to whom such precept is issued) by such instalments as that authority may determine.

A.D. 1913.

As to temporary borrowing for current expenses.

82.—(1) For the purpose of providing temporarily during any financial year for their current expenses and after the commencement of such year it shall be lawful for the Board to borrow by way of temporary loan or of temporary over-draft on any current account of the Board with any banker or on temporary loan on deposit receipt from any person and in either case at such rate of interest as they may determinè such sums as they may from time to time resolve not exceeding in the aggregate at any time an amount equal to one-fourth of the total aggregate amount of their expenses on revenue account for the immediately preceding financial year and any amount so borrowed together with the interest thereon shall until payment or discharge form a charge by virtue of this Act upon the water fund *pari passu* with any bond mortgage stock or other security affecting the same and it shall further be lawful for the Board instead of resorting to the powers conferred by the foregoing provisions of this section to utilise for providing temporarily for any such expenses any sinking funds which they may have on hand crediting the said sinking funds with such fair rate of interest not being less than three per centum per annum as they may resolve Provided that—

- (A) All sums so borrowed or utilised together with the interest thereon shall be repaid or discharged out of revenue at or before the expiration of a period of six months from the end of the financial year in which they were borrowed or utilised :
- (B) The Board shall within forty-two days after the end of each financial year furnish to the Local Government Board a special return by their chief financial officer showing precisely the operation of the powers of this section during such year and such return shall be in such form and shall contain such information as the Local Government Board shall approve or require :
- (c) After the receipt of the said return or if no such return shall be furnished within the said period of forty-two days then at any time after the expiration of that period the Local Government Board may make such investigation as may be necessary to satisfy themselves that the requirements of this section as to repayment have been complied with and if it appear to the Local Government Board by

the said return or by such investigation that the Board have failed to comply with the requirements of this section as to repayment the Local Government Board may serve upon the Board a notice in writing requiring them to show cause why an order should not be made directing the Board to take such steps in the matter as may be specified in the notice and if after considering any representations made to them by the Board the Local Government Board think fit they may make such an order accordingly and if the Board shall fail to comply therewith within such period as may be specified in the order the Local Government Board may make a further order suspending the powers of this section for such period as they may think fit.

A.D. 1913.

(2) The provisions of this section shall cease to be in force at the expiration of five years from the thirty-first day of March one thousand nine hundred and fourteen unless they shall have been continued by Act of Parliament or Provisional Order made by the Local Government Board and confirmed by Parliament which order the Local Government Board are hereby empowered to make in accordance with the provisions of the Public Health Act 1875 and in the event of that Board making any such order they are hereby empowered to make such modifications or amendments in the provisions of this section as may appear to them to be necessary.

83.—(1) The provisions of Parts VI. and VII. of the London Building Act 1894 and Part III. of the London County Council (General Powers) Act 1908 and Part IV. of the London County Council (General Powers) Act 1909 shall not apply to pumping stations or to reservoirs tanks or similar structures for the storage of water used or intended to be used for purposes of or in connexion with the undertaking of the Board or to hydrant or meter boxes used for the purpose of water supply and constructed by or belonging to the Board or to any other apparatus which the Board are empowered to place in the streets and the provisions of section 154 of the said Act of 1894 shall not apply to any such reservoirs tanks or similar structures or to hydrant or meter boxes or other apparatus as aforesaid. For the purposes of this subsection the expression

Exempting certain structures &c. of Board from provisions of London Building Acts.

A.D. 1913. pumping station shall not be deemed to include any dwelling-house.

(2) Except as in this section provided nothing in this Act shall exempt the Board in the execution of any works or the erection construction or execution of any buildings or structures or additions to or alterations of buildings or structures from such of the provisions of the London Building Acts 1894 to 1909 and any Act amending the same and of any byelaws and regulations in force thereunder as are applicable to the Board.

Conferring certain powers on deputy clerk of Board.

84. Notwithstanding anything in any Act relating to the Board it shall be lawful for the deputy clerk of the Board or a deputy approved by the Board to sign or countersign all such contracts notices demands returns requests certificates agreements orders cheques abstracts of accounts and other documents of whatsoever nature as are authorised or required to be signed or countersigned by the clerk of the Board and any such document signed or countersigned by the said deputy clerk or any such deputy as aforesaid shall have the same force and effect as if the same had been signed or countersigned by the clerk of the Board.

Amending section 73 of Metropolitan Water Board (Various Powers) Act 1907.

85.—(1) For the purposes of section 73 (As to apparatus for supply of water in case of fire) of the Metropolitan Water Board (Various Powers) Act 1907 all such fire plugs hydrants and other apparatus in the district of any local authority as may be specified in a list deposited with the Board by that local authority on or before the first day of July one thousand nine hundred and fourteen as being required for the supply of water for extinguishing fire shall be deemed to have been fixed at the request of that local authority and the provisions of the Waterworks Clauses Act 1847 relating to the maintenance of fire plugs fixed at the request of the town commissioners shall extend and apply to all such fire plugs hydrants and other apparatus as may be specified in any such list and to any hydrants or other apparatus substituted therefor by the Board under the powers of the said section 73.

(2) All fire plugs hydrants and other apparatus elsewhere than in the administrative county of London fixed for the supply of water for extinguishing fire which shall not be specified in any such list as aforesaid and shall not have been

placed by the Board or their predecessors in title pursuant to the provisions of section 41 of the Waterworks Clauses Act 1847 shall be deemed to have been fixed otherwise than at the request of the town commissioners or the local authority and accordingly to be removable by the Board if they think fit but without prejudice to the right of any local authority at any time after the said first day of July one thousand nine hundred and fourteen to require the Board pursuant to the provisions of section 38 of the said Act as amended by the said section 73 to fix hydrants or other apparatus in any main or pipe of the Board in the district of that authority. A.D. 1913.

(3) Notwithstanding anything in the said section 73 as amended by this section or in this section the Board shall not in any one year charge any local authority with the cost of substituting new hydrants or apparatus for more than one-tenth in number of such of the fire plugs hydrants or other apparatus specified in the list deposited by that authority under the provisions of this section as may be agreed or may be determined by arbitration under the said section 73 to be obsolete or unsuitable (in this subsection referred to as "obsolete apparatus") Provided that nothing in this subsection shall be deemed to prevent the Board from effecting such substitution at their own cost in the first instance at such time or times as they think fit in the case of any greater number or the whole of such obsolete apparatus or to prejudice or affect the right of the Board eventually to recover in full from any such local authority the reasonable cost of such substitution.

(4) Provided also that unless the urban district council of the urban district of Twickenham in the county of Middlesex otherwise agree the provisions of the said section 73 as amended by this section or of this section shall not take effect with respect to such council or district until the expiration of the agreement dated the twenty-seventh day of February one thousand eight hundred and ninety-six and made between the Grand Junction Waterworks Company of the one part and the said council of the other part.

86. Notwithstanding anything contained in the Act of 1902 or in section 53 (Power to retain sell &c. lands) of the Metropolitan Water Board (Various Powers) Act 1907 it shall not be necessary for the Board to obtain the consent of the Local As to powers of Board to alienate land &c.

A.D. 1913. Government Board to the alienation under the powers of the last-mentioned section of any land or buildings or any interest therein.

Temporary discharge of water into streams.

87.—(1) For the purpose of constructing maintaining repairing cleansing or examining any of the works authorised by the section of this Act of which the marginal note is “Power to make waterworks” or for the purpose of disposing of any water flowing into any excavation made by the Board during the construction and for the purposes of any of the works authorised by this Act the Board may cause the water in any such work to be temporarily discharged into any available river stream ditch or watercourse.

(2) In the exercise of the power conferred by this section the Board shall do as little damage as may be and shall make full compensation to all persons for all damage sustained by them by reason or in consequence of the exercise of such power the amount of compensation to be settled in case of difference by arbitration.

(3) In exercising the powers of this section the Board shall take all reasonable precautions for preventing so far as practicable the introduction of any solid matter whether in suspension or otherwise into the River Thames or any tributary (as defined by section 90 of the Thames Conservancy Act 1894) of that river or into any stream or watercourse in the county of Middlesex which is under the control or jurisdiction of the county council of that county.

As to limitation of Board's powers of abstracting water.

88. Nothing contained in this Act shall be deemed to affect or prejudice section 34 (Limiting powers of Board to abstract water) of the Metropolitan Water Board (Various Powers) Act 1907.

Application of Arbitration Act 1889.

89. Where under this Act any question or dispute is to be referred to an arbitrator or to arbitration other than questions or disputes to which the provisions of the Lands Clauses Acts apply then unless other provision is made the reference shall be subject to the provisions of the Arbitration Act 1889.

As to Longford river and Alperton Lodge.

90.—(1) Nothing in this Act shall confer upon the Board any powers not already vested in them of making or maintaining any works across through over or under or of taking using or in any manner interfering with the Longford river.

(2) The work of construction of so much of Aqueduct No. 1 by this Act authorised as is to be constructed across through or under the property numbered on the deposited plans 7 in the parish of Wembley shall be carried out under the direction and to the reasonable satisfaction of the engineer or surveyor of the Commissioners of Works and the said portion of the said aqueduct shall (unless and until the same shall be removed) thereafter so long as the said commissioners shall retain any estate or interest in the said property be maintained and repaired by and at the cost of the Board to the like satisfaction. A.D. 1913.

91. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Board to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners are hereby authorised to give). Crown rights.

92. Notwithstanding the inclusion in the deposited plans and book of reference mentioned in the section of this Act of which the marginal note is "Power to make waterworks" of any property or interest of His Majesty's Principal Secretary of State for the War Department nothing in this Act contained authorises the Board to enter upon use or interfere with any land soil or water or any right in respect thereof vested in or exercised or exerciseable by the said Principal Secretary of State for the War Department or to take away lessen prejudice or alter any of the rights privileges or powers vested in or exercised or exerciseable by the said Principal Secretary of State for the War Department without his previous consent signified in writing under his hand which consent the said Principal Secretary of State for the War Department is hereby authorised to give subject to such special or other conditions as he shall see fit to impose on the Board : Saving rights of His Majesty's Principal Secretary of State for War Department.

Provided that subject to the work being executed in accordance with such conditions (if any) as the said Principal Secretary of State for the War Department may impose nothing in this section shall extend to enable the said Principal Secretary of

[Ch. xcviij.] *Metropolitan Water Board* [3 & 4 GEO. 5.]
Act, 1913.

A.D. 1913. State to prohibit the making and maintenance in the road num-
— bered on the deposited plans 7 in the parish of Woolwich of
the Aqueduct No. 6 by this Act authorised.

Costs of Act. **93.** All the costs charges and expenses preliminary to and
of and incidental to the preparing applying for obtaining and
passing of this Act or otherwise in relation thereto shall be paid
by the Board.

The SCHEDULES referred to in the foregoing Act. A.D. 1913.

THE FIRST SCHEDULE.

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

Work.	Parish.	Number on deposited Plans.
Aqueduct No. 5 - - - -	Eltham - - - -	6
Aqueduct No. 6 - - - -	Eltham - - - -	6
Aqueduct No. 7 and Reservoir No. 1 -	Eltham - - - -	6
Aqueduct No. 8 - - - - }	Tatsfield - - - -	5
	Westerham - - - -	5

THE SECOND SCHEDULE.

FIRST PART.

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

Parish.	Numbers on deposited Plans.
Sunbury - - - - -	17 to 41

SECOND PART.

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

Parish.	Numbers on deposited Plans.
Littleton - - - - -	12 and 15

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