



CHAPTER clv.

An Act to empower the county councils of the administrative counties of Middlesex and Surrey to rebuild Kew Bridge and to make new approaches thereto and to execute other works in connexion therewith and for other purposes. [25th July 1898.]

A.D. 1898.

WHEREAS the existing bridge commonly called and hereinafter referred to as "Kew Bridge" across the River Thames from the shore thereof in the parish of Old Brentford in the county of Middlesex to the opposite shore in the parish of Kew in the county of Surrey is a county bridge and one moiety thereof with the approaches thereto on the Middlesex side of the said river is under the jurisdiction of the county council for the administrative county of Middlesex (hereinafter referred to as "the Middlesex Council") and the other moiety thereof with the approaches thereto on the Surrey side of the said river is under the jurisdiction of the county council for the administrative county of Surrey (hereinafter referred to as "the Surrey Council"):

And whereas it is expedient to confer upon the Middlesex Council and the Surrey Council (hereinafter jointly referred to as "the Councils") powers to rebuild Kew Bridge and to improve the approaches thereto and to carry out the works in connexion therewith herein-after described:

And whereas it is expedient to confer upon the Councils and upon the Middlesex and Surrey Councils respectively in connexion with and for the purpose of the works by this Act authorised the powers herein-after set forth:

And whereas it is also expedient to confer upon the Middlesex Council and upon the Surrey Council respectively such powers as are herein-after set forth with regard to the raising of money for the purposes of this Act:

And whereas the Councils have caused to be deposited with the respective clerks of the peace for the counties of Middlesex and

A.D. 1898. of Surrey plans and sections describing the line and levels of the works by this Act authorised and the lands which may be taken for the purposes thereof and also books of reference to such plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands and such plans sections and books of reference are respectively referred to in this Act as "the deposited plans sections and books of reference":

And whereas estimates have been prepared as to the sums required to be expended for the purposes of this Act and such estimates amount to one hundred and forty-eight thousand five hundred pounds:

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

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

Short title.

1. This Act may be cited as the Kew Bridge Act 1898.

Interpretation.

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

"The Middlesex Council" means the county council for the administrative county of Middlesex;

"The Surrey Council" means the county council for the administrative county of Surrey;

"The Councils" means the Middlesex Council and the Surrey Council acting jointly and shall include any joint committee appointed for the purposes of this Act;

"The Conservators" means the Conservators of the River Thames;

"The improvement" means the reconstruction of Kew Bridge and the improvement of the approaches thereto and the works temporary or otherwise respectively connected therewith by this Act authorised;

"Street" has the meaning assigned to that term in the Public Health Act 1875 and the Acts amending the same;

"Two justices" means two justices acting together in petty sessions;

"The district councils" means the council of the borough of Richmond and the Brentford and the Chiswick district councils;

The several words and expressions to which by the Acts wholly or partly incorporated herewith meanings are assigned have in this Act the same respective meanings unless there be in the subject or context something repugnant to or inconsistent with such construction. Provided that for the purposes of this Act the expressions "the promoters of the undertaking" and "the company" in the Lands Clauses Acts shall be construed to mean "the Councils" or "the Middlesex Council" or "the Surrey Council" as the case may require.

A.D. 1898.

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

Incorporation of Lands Clauses Acts.

4. A joint committee of the Middlesex Council and of the Surrey Council appointed under and subject to the provisions of the Local Government Act 1888 shall have full power to carry out such of the powers of this Act conferred upon the Councils except those relating to the acquisition of lands as the appointing Councils shall from time to time determine and subject to such exception and determination shall have full power to make and carry into effect all such agreements and arrangements as under the provisions of this Act may be made and carried into effect by the Councils.

Powers of joint committee.

5. The Councils may subject to the provisions of this Act and in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections execute the works herein-after described :—

Power to Councils to make works.

The Councils may make and maintain a temporary bridge and approaches thereto over the River Thames at Kew on the western side of the existing bridge situate partly in the parish of Old Brentford in the Brentford Urban District and partly in the parish of Kew in the borough of Richmond (Surrey) commencing at a point on the existing northern approach to Kew Bridge near its junction with Kew Bridge Road in the said parish of Old Brentford and terminating at a point in the southern approach road near the "King's Arms" Hotel in the said parish of Kew :

When and so soon as the said temporary bridge is open for traffic the Councils may take down and remove the existing bridge over the River Thames known as Kew Bridge and situate partly in the said parish of Old Brentford and partly in the said parish of Kew and may construct a new bridge across the River Thames in substitution for the existing bridge :

A.D. 1898.

The new bridge shall occupy as nearly as may be the site of the existing Kew Bridge having the northern end in the said parish of Old Brentford in the county of Middlesex and the southern end in the said parish of Kew in the county of Surrey :

The Councils may construct over the new bridge and over the temporary bridge such carriageways and footways as they may think proper.

Power to
Middlesex
Council to
execute
works.

6. Subject to the provisions of this Act in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections the Middlesex Council may execute the works herein-after described :—

Raising and widening of the existing approach road to the existing bridge wholly in the parish of Old Brentford following as nearly as may be the line of the present approach from the junction of the Kew Bridge Road commencing at or near the drinking fountain opposite the “Star and Garter” Hotel and terminating at or near the northern abutment of Kew Bridge :

Raising and widening of the existing approach road partly in the said parish of Old Brentford and partly in the parish of Chiswick in the Chiswick Urban District from Back Lane commencing at or near the junction of Spring Grove with the northern approach of Kew Bridge and terminating at or near the junction of Spring Grove with Back Lane :

Raising and widening of the existing approach road leading from Spring Grove wholly in the said parish of Old Brentford commencing at or near the junction of Spring Grove with the northern approach of Kew Bridge and extending along Spring Grove in an easterly direction for a distance of 35 yards or thereabouts and terminating in Spring Grove aforesaid :

Raising and widening of the existing approach road leading from Star Yard wholly in the said parish of Old Brentford commencing at or near the junction of Star Yard with the northern approach of Kew Bridge and extending along Star Yard in a westerly direction for a distance of 26 yards or thereabouts :

Diverting raising and widening of the existing approach road leading from the “Oxford and Cambridge” Hotel wholly in the said parish of Old Brentford commencing at or near the junction of Star Yard with the northern approach of Kew Bridge and extending in a southerly direction to a point at

or near the northern corner of the "Oxford and Cambridge" Hotel and there terminating. A.D. 1898.

7. Subject to the provisions of this Act and in the line or situation and within the limits of deviation shown on the deposited plans and according to the levels shown on the deposited sections the Surrey Council may execute the works herein-after described:— Power to
Surrey
Council to
execute
works.

Widening and raising of the existing approach road leading from Kew Green wholly in the said parish of Kew commencing at or near a point thereon 90 yards or thereabouts measured in a south-easterly direction from the south-east corner of the "King's Arms" Hotel and terminating at or near the southern abutment of Kew Bridge:

Diverting raising and widening of the existing approach road on the eastern side known as Waterloo Place wholly in the said parish of Kew commencing at or near a point 76 yards or thereabouts measured in an easterly direction from the south-west corner of Waterloo Place aforesaid and terminating at or near a point 17 yards or thereabouts measured in a south-westerly direction from the last-mentioned corner:

Diverting raising and widening of the existing approach road on the western side leading from the principal entrance to Kew Gardens wholly in the said parish of Kew commencing at or near a point opposite the south-east corner of the "Rose and Crown" Hotel and terminating at or near a point 30 yards or thereabouts measured in a south-easterly direction from the south-east corner of the "King's Arms" Hotel.

8. For the protection of the Conservators the following provisions shall have effect (that is to say):— For protec-
tion of
Conservators
of River
Thames.

- (1) The improvement by this Act authorised and all or any temporary or permanent works connected therewith as far as the same affect the River Thames shall if constructed and unless otherwise agreed in writing between the Councils and the Conservators be executed according to plans and sections approved by the Conservators signed in triplicate by Jabez Edward Johnson Ferguson the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred one copy of each of which plans and sections is deposited at the office of the Conservators and one copy of each of which plans and sections is deposited at the respective offices of the Councils and the works in the River Thames shall be executed and performed to the reasonable satisfaction of the engineer for the time being of the Conservators and the traffic of the said river shall not be interfered with more

A.D. 1898.

than may be absolutely necessary in the construction of the improvement and the works connected therewith :

- (2) The Councils shall within fourteen days after notice from the Conservators so to do remove any temporary works and materials for temporary works which may have been placed in the river by the Councils and are not further required for the purpose of or in connexion with the improvement and on their failing so to do the Conservators may remove the same charging the Councils with the expense of so doing and the Councils shall forthwith repay to the Conservators all expenses so incurred :
- (3) The Councils shall during the construction of the improvement by this Act authorised hang out and exhibit at or near to the works on the River Thames every night from sunset to sunrise lights to be kept burning by and at the expense of the Councils and proper and sufficient for the navigation and safe guidance of vessels and the lights shall from time to time be altered by the Councils 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 Councils fail so to exhibit and keep burning the lights they shall for every such offence forfeit to the Conservators ten pounds :
- (4) Nothing in this Act contained shall authorise or empower the Councils to embank encroach upon or interfere with any part of the soil or bed of the River Thames or the shore thereof except according to the plans and sections approved by the Conservators :
- (5) The Councils shall not (except as far as shall be necessary in the construction of the said improvement and the works connected therewith) 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.

Power to
take lands.

9. Subject to the provisions of this Act the Councils or the Middlesex Council or the Surrey Council may as the case may require enter upon take and use all or any of the lands shown on the deposited plans and described in the deposited books of reference which they may respectively require for the purposes of the improvement :

Provided always that all land so taken and used as may be situate within the county of Middlesex shall subject to the provisions of this Act vest in and belong to the Middlesex Council and all land so taken and used as may be situate within the county of Surrey

shall subject to the provisions of this Act vest in and belong to the Surrey Council. A.D. 1898.

10. The Middlesex Council or the Surrey Council as the case may require may in addition to the lands which they are otherwise authorised to purchase or hold for any of the purposes of the improvement purchase or take by agreement any additional quantity of land not exceeding in the whole five acres or any easement right or privilege (not being an easement right or privilege of water in which persons other than the parties to the agreement have an interest) in or over such additional lands which they may respectively think requisite for any of the purposes of the improvement but nothing in this Act shall exempt the respective Councils from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them respectively upon any land so taken. Power to acquire additional lands by agreement.

11. And whereas in the construction of the improvement or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories and land shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories and land described in the Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom any question of disputed compensation may be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Councils or either of them the portions only of the premises so required without the Councils or either of them being obliged or compellable to purchase the whole or any greater portion thereof the Councils or either of them paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise. Owners may be required to sell parts only of certain land and buildings.

12. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may (if they think fit) subject to the provisions of the Lands Clauses Acts and of this Act grant to the Councils or either of them 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 or over or affecting any such lands And for the Power to certain persons to grant easements &c. by agreement.

A.D. 1898. — purposes of this Act the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such easements rights and privileges as aforesaid and to any grant of the same respectively.

Correction of errors &c. in deposited plans and books of reference.

13. If any omission misstatement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited books of reference the Councils or either of them as the case may require may after ten days' notice to the owners lessees and occupiers of the lands affected by such proposed correction apply to two justices acting for the respective counties of Middlesex or of Surrey for the correction thereof and if it shall appear to such justices that such omission misstatement or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace for the county of Middlesex or the clerk of the peace for the county of Surrey as the case may require and shall be kept by such clerk of the peace along with the other documents to which it relates and thereupon such plans or books of reference shall be deemed to be corrected according to such certificate and the Councils or either of them may take the lands in accordance with such certificate.

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

14. The Councils or either of them and their respective surveyors officers and workmen and any person duly authorised in writing under the hand of the clerk of the respective Councils may at all reasonable times in the day upon giving in writing for the first time twenty-four hours' and afterwards twelve hours' previous notice enter upon and into the lands and buildings by this Act authorised to be taken and used as aforesaid or any of them for the purpose of surveying and valuing the said lands and buildings without being deemed trespassers and without being subject or liable to any fine penalty or punishment on account of entering or continuing upon any part of the said lands and buildings.

Power to temporarily stop up or interfere with roads &c. for the purposes of the improvement.

15. The Councils or either of them for the purposes of the powers granted to them respectively by this Act and during the making of the improvement may in or upon the lands shown in connexion therewith upon the deposited plans stop up or interfere with alter or divert temporarily all or any part of any road street bridge way stream or watercourse which they shall think necessary

for such purposes to be stopped up and may put or cause to be put up sufficient palisades hoardings bars posts and other erections and may construct temporary works for keeping any such road street bridge or way open for traffic and may make such orders for regulating the traffic as to them shall seem proper.

A.D. 1898.

16. Subject to the provisions of this Act the Councils or either of them may for the purposes of and in connexion with the powers granted to them respectively by this Act alter the line or level of any of the streets roads and places described on the deposited plans or sections as intended to be diverted raised or lowered in the manner shown on such plans or sections.

Streets &c.
may be raised
or lowered.

17. In making any of the works for or connected with the improvement the Councils or either of them may subject to the provisions of this Act deviate to any extent from the line thereof within the limits of deviation defined on the deposited plans and the Councils or either of them may subject to the provisions of this Act deviate to any extent from the levels thereof defined on the deposited sections not exceeding two feet from the levels thereof as defined on the said sections but not so as to increase the inclination of the main approach roads leading to the new bridge as shown on the deposited sections.

Power to
deviate from
levels &c.

18. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Councils or either of them in connexion with the powers granted to them respectively by this Act and as part of the improvement may make junctions and communications with any streets roads ways bridges or stream interfered with by or contiguous to the works and may divert widen or alter the line or level of any street road way bridge or stream for the purpose of connecting the same with the improvement And the Councils or either of them doing the work may alter and interfere with any drain or sewer providing a proper substitute before interrupting the flow of sewage in any such drain or sewer and they may execute any works for the protection of any adjoining land or buildings Any lamp-posts paving metalling or materials in on or under any street so altered or diverted and any materials of any drain or sewer so altered shall vest in the Middlesex Council or in the Surrey Council as the case may require and all substituted drains and sewers shall be under the same jurisdiction care management and direction as the existing drains and sewers for which they may be so substituted In the exercise of the powers conferred by this section the Councils or either of them doing the work shall cause as little detriment and inconvenience as circumstances admit to any company or person and shall make reasonable

Power to
make subsi-
diary works.

A.D. 1898. — compensation for any damage caused to any company or person by the exercise of the powers aforesaid.

Alteration of position of water gas and other pipes.

19. Subject to the provisions of this Act the Councils or either of them may for any purpose in connexion with the improvement upon the lands acquired by them respectively under the powers of this Act and also in any street road or way within the limits of deviation defined on the deposited plans raise sink or otherwise alter the position of any watercourse waterpipe or gaspipe belonging to or connected with any house or building and also any main or other pipe laid down or used by any company or person for carrying a supply of water or gas and also any pipe tube wire or apparatus laid down or placed for telegraphic or other purposes and any pipe tube wire or apparatus laid down or placed for supplying electricity and may remove any other obstruction making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit to any company or person and making reasonable compensation to any company or person who suffers damage by any such alteration Provided always that before the Councils or either of them alter the position of any main pipe tube wire or apparatus laid down or used by any such company or person they shall (except in cases of emergency) give to the company or person to whom the same belongs notice of their intention to do so specifying the time at which they will begin to do so such notice to be given seven days at least before the commencement of the work for effecting such alteration and such work shall be done (at the expense of the Council effecting such alteration) under the superintendence of the company or person to whom such main pipe tube wire or apparatus belongs unless such company or person refuses or neglects to give such superintendence at the time specified in the notice for the commencement of such work or discontinues the same during the execution of such work and the Councils or such Council as aforesaid shall execute such work to the reasonable satisfaction of the engineer of such company or person Provided also that the Councils or either of them shall not cause any street road or way to be lowered or raised nor the position of any water or gas main or other pipe to be altered so as to leave over such main or other pipe in any part a covering of less than two feet where the covering now existing is not less than two feet unless the Councils or the Council doing such work shall in such case protect the same pipes from frost or injury by artificial covering to the satisfaction of the engineer of such company or person or more than six feet where the covering now existing does not exceed six feet or more than such existing covering where the same exceeds six feet unless the

Councils or Council in such case provide special means of access to the same to the satisfaction of the engineer of such company or person : A.D. 1898.

If any difference arise between the Councils or either of them or their respective engineers and any such company or person or their or his engineer touching the amount of any costs expenses or charges under the provisions of this Act to be paid by the Councils or the Council doing such work to any such company or person or touching any work matter or thing with reference to such mains or other pipes under such provisions to be done or executed by the Councils or Council or the mode of doing or executing the same such difference shall be settled by an engineer to be agreed upon by the Councils or the Council doing such work and any such company or person respectively or failing agreement by such engineer as shall on the application of the Councils or the Council doing such work or any such company or person be named by the Board of Trade whose decision shall be final and binding and the expenses of the reference shall be borne as the referee may direct :

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

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

20. For the protection of the West Middlesex Waterworks Company (in this section called "the water company") the following provisions shall have effect with respect to the mains and pipes of that company in the parishes of Chiswick and Old Brentford in the county of Middlesex and the roads in those parishes (that is to say) :—

For protection of West Middlesex Waterworks Company.

- (1) In this section the expression "the acting Council" means either Council exercising any powers of this Act to which this section relates :
- (2) Every notice of the intention of the Councils or the acting Council as the case may be to alter the position of any main or pipe of the water company shall be accompanied by a plan and section showing the proposed alteration :
- (3) Notwithstanding anything in this Act or shown on the deposited plans it shall not be lawful for the Councils or the acting Council as the case may be to permanently stop up or

A.D. 1898.

appropriate the site or soil of the streets or roads in the parishes of Chiswick and Old Brentford in the county of Middlesex known as the High Road Kew Bridge Road Back Lane and Spring Grove :

- (4) Notwithstanding anything in this Act in any case in which the Councils or the acting Council as the case may be cause any road street or way under which any main or other pipe of the water company is situate to be lowered or raised or cause the position of any main or pipe of the water company to be altered they shall unless otherwise agreed so relay or alter such main or pipe for the length affected that there shall be a covering thereover of not less than three feet nor more than four feet :
- (5) If before the expiration of seven days from the delivery of such notice as aforesaid to the water company that company so elect they may themselves execute any such alterations to their mains pipes and apparatus and shall do so with all reasonable despatch :
- (6) All costs charges and expenses reasonably incurred by the water company or their engineer in connexion with any such alterations as aforesaid including the costs charges and expenses of and in relation to the superintendence or watching by that company or their engineer or officers of any works by this Act authorised by which any mains or pipes of the water company may be interfered with shall be paid by the Middlesex Council :
- (7) Any such costs charges and expenses may be recovered by the water company from the Councils or Council liable in any court of competent jurisdiction :
- (8) The water company shall at all times have access to any street or place temporarily stopped up under the provisions of this Act for the purpose of laying inspecting renewing or repairing any main pipe or apparatus therein and the Councils or the acting Council as the case may be shall afford the water company all reasonable facilities for so doing.

No main or pipe to be laid on new bridge except with consent of Councils.

21. Notwithstanding anything in any Act to the contrary it shall not except as by this Act expressly provided be lawful for any person to enter upon break up or interfere with the new bridge or the carriageways and footways over the same respectively for the purpose of laying down any main or pipe or executing any work therein thereon or thereunder except with the consent of the Councils in writing and in accordance with such terms and conditions either as to the payment of any rent or other valuable consideration or otherwise as the Councils may reasonably

determine Provided that nothing in this section contained shall alter prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1897.

A.D. 1898.

22. Subject to the provisions of this Act the Middlesex Council and the Surrey Council may within the respective counties of Middlesex and Surrey cause such parts of the improvement other than the carriageways and footways over the new and over the temporary bridges respectively to be laid out for carriageway and such parts thereof for footway as they may think proper and may upon the lands acquired by or vested in them respectively under the powers of this Act and within the limits of deviation defined on the deposited plans construct erect and provide such vaults cellars arches sewers drains subways and other works and conveniences as they may think proper for the purposes of the improvement and in laying out or forming such carriageway and footway and works the Council doing the work may in addition to the powers by this Act conferred exercise the same powers and authorities as are vested in and shall be subject to the same liabilities only in respect thereof as are imposed upon any urban or road authority when they stop up temporarily any road thoroughfare or any part thereof in the repairing or repaving of any street.

Councils
empowered
to lay out
carriageways
and foot-
ways.

23. The Councils or either of them as the case may require may cause to be removed arched over or filled up all such sewers or drains or parts thereof which shall be in or near the streets or roads to be interfered with for the purposes of the improvement as shall appear necessary for executing the purposes of this Act so as that no sewer or drain (unless the same become unnecessary by reason of the purchase of the property entitled to the use thereof) shall be in any wise disturbed injured or prejudiced without another sewer or drain being made in lieu thereof equally serviceable and convenient Provided always that before removing or filling up any sewer or drain or part thereof as aforesaid the Councils or the Council doing the work shall where necessary cause to be made and built other good and sufficient sewers and drains in substitution for the sewers or drains which shall be filled up and when made and completed the said sewers and drains shall be under the same jurisdiction care management and direction as the existing sewers or drains for which they are substituted.

Sewers or
drains to be
removed
arched over
or filled up.

24. Subject to the provisions of this Act and within the limits of deviation defined on the deposited plans the Councils or either of them may for the purposes of and in connexion with the powers

Power to
alter and
pull down
buildings

A.D. 1898.
—
and to stop
up streets.

granted to them respectively by this Act alter and pull down any houses buildings and erections and may stop up and appropriate the site and soil of any streets ways roads courts passages or alleys shown upon the said plans making all reasonable compensation to any person who suffers damage by any such alteration.

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

25. Subject to the provisions of this Act the Councils or either of them may in connexion with the powers granted to them respectively by this Act enter into and carry into effect agreements with the conservators the district councils owners of property or other persons interested in lands houses or property abutting on any portion of the improvement with respect to the sale or purchase by the Councils or either of them of any lands or property for such consideration being a sum of money in gross or a grant of land or partly money and partly land as may be agreed upon between the Councils or either of them and the said conservators district councils owners or other persons.

Limitation
of time for
purchase of
lands.

26. The powers of the Councils or of either of them for the compulsory purchase or taking of lands for the purposes of such part of the improvement as they are by this Act respectively authorised to execute shall cease after the expiration of three years from the passing of this Act.

Period for
completion
of improve-
ment.

27. If the improvement be not completed within seven years from the passing of this Act then on the expiration of that period the powers of the Councils and of the Middlesex Council and Surrey Council respectively under this Act for the execution of the improvement shall cease except so far as the same shall have been completed.

As to repair
and main-
tenance of
improve-
ment.

28. When the improvement is completed a certificate thereof shall be issued under the seals of the respective Councils and any copy of such certificate certified under the hands of the clerks of the respective Councils shall in all proceedings and for all purposes be admissible and received as evidence that such certificate has been duly made and from the date of such certificate so much of the improvement as shall have been laid out as carriageway or footway shall be open to the public accordingly.

The new bridge with the roads over the same and the approach roads thereto so far as the same shall not be public highways maintainable and repairable by the district councils respectively shall as to so much of the said bridge and roads as is situate in the county of Middlesex and is on the Middlesex side of an imaginary line to be drawn across the said bridge at the centre of the centre

arch thereof be maintained and repaired by and at the expense of the Middlesex Council and shall as to so much of the said bridge and roads not maintainable and repairable as aforesaid as is situate in the county of Surrey and is on the Surrey side of such imaginary line as aforesaid be maintained and repaired by and at the expense of the Surrey Council and the new bridge shall be a county bridge.

A.D. 1898.

29. The Councils or either of them may sell or dispose of all building and other materials of any houses buildings or structures acquired by them respectively under the powers of this Act and not required for the improvement and also all materials in under or upon any road street or other place altered by them for the purposes of this Act and any materials obtained in the alteration of or interference with any drain or sewer which are vested in the Councils or either of them under the powers of this Act and the materials of the existing Kew Bridge and of the temporary bridge by this Act authorised.

Power to sell materials.

30. Subject to the provisions of this Act the Middlesex Council or the Surrey Council may if they think it expedient so to do sell exchange and dispose of all or any lands acquired by them respectively under the powers of this Act and not required for the improvement for such price and on such terms and conditions as they shall respectively think reasonable and subject to such stipulations as to title as they shall respectively think fit and may execute and do any deed act or thing proper for effectuating any such sale or exchange.

Power to sell or exchange lands.

31. The Middlesex Council or the Surrey Council subject to the provisions of the Lands Clauses Acts may when and as they shall think fit so to do demise and lease any lands acquired by them respectively under this Act and not required for the improvement or such parts of such lands as they may respectively think expedient at such rent and on such terms as they shall respectively think fit and may execute and do any deed act or thing proper for effectuating any such demise or lease.

Power to lease surplus lands.

32. The Middlesex Council and the Surrey Council shall respectively apply all moneys from time to time received by them in respect of any sales exchanges or dispositions of lands or in respect of the sale of materials as by this Act respectively authorised in or towards paying off moneys borrowed and for the time being owing under this Act.

Application of moneys from sale &c. of land.

33.—(1) The Middlesex Council or the Surrey Council shall not under the powers by this Act granted purchase or acquire in any parish ten or more houses which on the fifteenth day of

Restrictions on displacing persons of labouring class.

A.D. 1898. December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

(a) They shall respectively have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(b) They shall respectively have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modification in the scheme.

(3) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5) If the respective Councils acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall respectively be liable to a penalty of five hundred pounds in respect of every such house

which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

A.D. 1898.

(6) For the purpose of carrying out any scheme under this section the respective Councils may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require :

Provided that nothing in this section shall relieve the respective Councils from the necessity of obtaining the approval of the Local Government Board for such appropriation or use of their land as would require such approval under the Local Government Act 1888.

(7) Subject to the provisions of this section the respective Councils and the Local Government Board and their inspectors shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them under the Local Government Act 1888 in the same manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act :

Provided that all lands on which any buildings have been erected or provided by the respective Councils in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated for the purpose of dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment :

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as they may see fit.

(8) The respective Councils shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

(9) For the purposes of this section the expression "labouring class" means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of

A.D. 1898. thirty shillings a week and the families of any of such persons who may be residing with them.

Cost of
rebuilding
bridge.

34. Except as in this Act otherwise provided the cost of building the new bridge and of laying out carriageways and footways thereon from and inclusive of the abutment on the Middlesex side of the river to and inclusive of the abutment on the Surrey side of the river and the cost of the construction of a temporary bridge together with the fees and other charges and disbursements of the engineer for the time being employed by the said Councils in connexion with the improvement and all other costs and expenses in connexion with the improvement except the cost of providing land for and of improving the approaches to the new bridge and of providing land for approaches to the temporary bridge and the fees of the engineer for the time being employed by the Middlesex and Surrey Councils respectively in respect to such approaches shall be borne by the Councils in equal moieties Provided always that each Council shall pay and bear their own legal costs charges and expenses in connexion with the improvement except such costs charges and expenses as may be incurred in the preparing applying for obtaining and passing of this Act but such last-mentioned costs charges and expenses shall not include the costs charges and expenses arising out of any opposition to the powers contained in the Bill for this Act of taking land or of widening diverting or stopping up roads in the respective counties of Middlesex and Surrey which costs charges and expenses shall be exclusively borne by the Council of the county in which such land or roads may be situate and may be included in the money the said respective Councils are by the provisions of this Act severally entitled to expend on capital account as herein-after provided.

Cost of
approaches.

35. The cost of improving the approaches to the new bridge and of providing approaches to the temporary bridge and of providing land for the improvement and the fees of the engineer of the Councils in connexion with such approaches and not payable by the Councils in equal moieties shall be respectively wholly borne by the Council in whose county such approaches may be situate and the Council in whose county the land required for the purposes of the improvement may be situate shall subject to the provisions of this Act at their own cost provide such land for the purposes of such approaches or of the improvement.

Determina-
tion of costs.

36. The engineer for the time being employed by the Councils in connexion with the improvement shall have full power to determine during the progress of the works and after their

A.D. 1898.

completion what sums ought to be paid by the Councils jointly and severally as by this Act provided and every such determination shall be binding on both the Councils and shall have the effect of an award made under the provisions of the Arbitration Act 1889 Provided always that if either of the Councils shall have paid more than its due proportion as so determined of the total amount of the costs and expenses by this Act jointly payable the amount so paid in excess of such proportion unless included in any final determination of the joint sums payable shall be a debt due to the Council which has so paid in excess from the other Council and shall be recoverable accordingly.

37. If any difference shall arise between the Middlesex Council and the Surrey Council respecting the mode of carrying into effect or doing or executing the improvement or any part thereof such difference shall be referred to and settled by an engineer to be named by the Board of Trade whose decision shall be final and binding and the expenses of such reference shall be borne as such engineer may direct.

As to settlement of differences between Councils of Middlesex and Surrey.

38.—(1) The Middlesex and Surrey Councils may severally expend on capital account for the purpose of carrying out the improvement including the purchase of land and compensation for injury and damage for the same and for the payment of the expenses by this Act authorised such money as they may from time to time think fit not exceeding as regards the county of Middlesex the sum of seventy-five thousand pounds and not exceeding as regards the county of Surrey the sum of seventy-five thousand pounds and in order to raise or provide the money so required each Council may borrow such sums not exceeding in the whole the sum of seventy-five thousand pounds as may be from time to time required for the purposes of this Act.

Money to be raised on capital account.

(2) In calculating the amounts which the Councils may respectively borrow under the Local Government Act 1888 the amounts borrowed under this Act shall not be reckoned.

(3) The Councils shall severally make provision for the repayment of any money borrowed on capital account under this section within a period not exceeding sixty years from the date of the borrowing of such money.

(4) All sums of money which the respective Councils may from time to time require for such repayment shall subject to the provisions of this Act be defrayed by them respectively as payments for general county purposes within the meaning of and as authorised by the Local Government Act 1888.

A.D. 1898.

Saving
rights of the
Crown.

39. Nothing contained in this Act shall authorise the Councils or either of them to take use or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Woods without the consent in writing of the Commissioners of Woods on behalf of Her Majesty first had and obtained for that purpose (which consent such Commissioners are hereby authorised to give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty.

Saving
rights of Her
Majesty the
Queen.

40. Nothing contained in this Act or in any of the Acts incorporated herewith or herein referred to shall authorise the Councils or either of them to take use enter upon or in any manner interfere with any land or hereditaments or any rights of whatsoever description belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Commissioners of Her Majesty's Works and Public Buildings without the consent in writing of the Queen's most Excellent Majesty to be signified under Her Royal Sign Manual and upon such terms and subject to such conditions as the Commissioners of Her Majesty's Works and Public Buildings may in writing prescribe.

Expenses of
Act.

41. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons other than the costs charges and expenses incurred in or occasioned by providing for the improvement of the approaches as herein-before mentioned shall be borne by the Councils respectively in equal moieties and the costs charges and expenses occasioned by the providing of improved approaches shall be borne by the Council of the county in which the improvement is situated and all costs charges and expenses directed to be borne by the respective Councils shall be defrayed as payments for general county purposes within the meaning of the Local Government Act 1888.

SCHEDULE.

A.D. 1898.

HOUSES or other BUILDINGS or MANUFACTORIES and LANDS parts
of which only are required for the purposes of the Act.

No. on deposited Plan.	Parish and District.	Description of Property.
2A	Parish and urban district of Chiswick.	House and premises.
4A	Do. - - -	Do.
5	Do. - - -	Do.
6	Do. - - -	Malthouse and premises.
6	Parish of Old Brentford and urban district of Brentford.	Occupation road.
23	Do. - - -	Yard.
41	Do. - - -	House yards gardens and premises.
29	Parish of Kew borough of Richmond (Surrey).	Field.
31	Do. - - -	Workshop and premises.
33	Do. - - -	House and premises.

Printed by EYRE and SPOTTISWOODE,

FOR

T. DIGBY PICOTT, Esq., C.B., the Queen's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
EYRE AND SPOTTISWOODE, EAST HARDING STREET, FLEET STREET, E.C.; or
JOHN MENZIES & Co., 12, HANOVER STREET, EDINBURGH, and
50, WEST NILE STREET, GLASGOW; or
HODGES, FIGGIS, & Co., LIMITED, 104, GRAFTON STREET, DUBLIN.