

# On Her Majesty's Service

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WASC 154



1911

ACT OF PARLIAMENT

AN ACT TO EMPOWER THE  
METROPOLITAN ELECTRIC  
TRAMWAYS TO CONSTRUCT A  
BRIDGE OVER THE OLD  
RIVER LEA.



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Met. Elect. Tramways  
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**CHAPTER xciii.**

An Act to empower the Metropolitan Electric Tramways Limited to construct a bridge over the Old River Lee and new tramways and other works to widen certain streets and roads and for other purposes. A.D. 1911.

Limited to construct a bridge over the Old River Lee and new tramways and other works to widen certain streets and roads and for other purposes.

[18th August 1911.]

**W**HEREAS the Metropolitan Electric Tramways Limited (in this Act called "the Company") are the owners or lessees of certain tramways in the counties of London and Middlesex and are the lessees of certain light railways in the counties of Middlesex and Hertford and have obtained powers to construct and work certain light railways in the district of Tottenham in the county of Middlesex:

And whereas it is expedient to construct a new bridge over the Old River Lee and that the powers in that behalf in this Act contained should be conferred upon the Company and the Essex County Council:

And whereas it is expedient that the Company should be empowered to construct the tramways and other works in this Act described and in connection therewith and with the existing and authorised tramways and light railways belonging or leased to them to widen the roads and acquire the lands in this Act mentioned or referred to in that behalf and that the other powers in this Act mentioned or referred to should be conferred upon the Company:

And whereas plans and sections showing the lines and levels of the works by this Act authorised such plans showing the lands to be taken compulsorily under the powers of this Act and a book of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the



A.D. 1911. — occupiers of those lands have been deposited with the clerks of the peace for the counties of London Essex and Middlesex respectively and are in this Act referred to respectively as the deposited plans sections and book of reference :

And whereas by the Tottenham Walthamstow Light Railway Order 1906 (in this Act referred to as "the Order of 1906") the Company were authorised to lay down certain light railways described therein and to acquire for the purpose of widening certain streets and roads in the parish and urban district of Tottenham (inter alia) certain lands referred to in the Order of 1906 :

And whereas it is expedient that powers should be conferred upon the Middlesex County Council for the acquisition of the tramways by this Act authorised and for the transfer of the powers vested in the Company under the Order of 1906 in respect of the light railways authorised by the said Order and the street widenings in the county of Middlesex by this Act authorised :

And whereas it is expedient that the time now limited for the construction of the light railways authorised by the Order of 1906 should be extended as provided by this Act :

And whereas it is expedient that the time now limited by the Metropolitan Electric Tramways Act 1908 (in this Act referred to as "the Act of 1908") for the compulsory purchase of the lands authorised to be acquired by the Metropolitan Electric Tramways Act 1905 should be extended as provided by this Act :

And whereas the Company in exercise of the powers of the Order of 1906 served notices to treat for the purchase of certain of the lands hereinbefore mentioned and it is expedient that provision should be made for cancelling the said notices subject to the provisions of this Act :

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

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

PART I.

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PRELIMINARY.

1. This Act may be cited for all purposes as the Metropolitan Short title.  
Electric Tramways Act 1911.

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

Division of  
Act into  
Parts.

Part I.—Preliminary.

Part II.—New Bridge and Works.

Part III.—Tramways.

Part IV.—Street Widenings.

Part V.—Miscellaneous.

3. The following Acts and parts of an Act are except where expressly varied by this Act incorporated with and form part of this Act (that is to say) :—

Incorporation of  
general Acts.

The Lands Clauses Acts ;

Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 except section 43 thereof which shall not apply to the tramways by this Act authorised or sanctioned.

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

Interpretation.

The "new road" means the road on which Railway No. 3 authorised by the Order of 1906 is by that Order authorised to be constructed ;

The "new bridge" means the bridge by this Act authorised ;

The "tramways" means the tramways by this Act authorised or sanctioned ;

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

The "Middlesex undertaking" means the light railways undertaking of the Middlesex Council ;

The "Essex Council" means the county council of Essex ;

The "Walthamstow Council" means the urban district council of Walthamstow ;



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"Mechanical power" includes electrical and every other motive power not being steam or animal power;

"Engine" includes motor.

PART II.

NEW BRIDGE AND WORKS.

Power to  
construct  
new bridge.

5. The Company may subject to the provisions of this Act and in the line or situation and within the limits of deviation and according to the levels shown on the deposited plans and sections make and maintain the new bridge hereinafter described and may enter upon take and use for that purpose all or any of the lands delineated on the said plans and described in the deposited book of reference relating thereto (that is to say):—

A new bridge over the Old River Lee and approaches thereto situate in the parish and urban district of Tottenham in the county of Middlesex and the parish and urban district of Walthamstow in the county of Essex or one of them and 13 yards or thereabouts south-west of the existing bridge carrying Forest Road over the Old River Lee commencing on the north-western bank of the said river at or near the boundary between the urban districts of Tottenham and Walthamstow crossing the river in a south-easterly direction and terminating on the south-eastern bank thereof at the termination of the existing light railway of the Walthamstow Urban District Council near the Ferry Boat public-house;

together with all such temporary and other works junctions culverts viaducts arches walls embankments dams weirs pilings piers abutments conveniences and other works as may be necessary or expedient.

Removal of  
existing  
bridge.

6. When and so soon as the new bridge has been constructed and the new road has been made the Company may take down remove and appropriate the said existing bridge carrying Forest Road over the Old River Lee and the materials thereof.

Stopping up  
part of Ferry  
Lane and  
Forest Road.

7. When and so soon as the new bridge has been constructed and the new road has been made the Company may stop up and extinguish all rights of way over so much of Ferry Lane in the parish and urban district of Tottenham in the county of Middlesex and of Forest Road in the parish and urban district of Walthamstow in the county of Essex as lies between a point

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in Ferry Lane forty-two yards or thereabouts from the said existing bridge over the Old River Lee and the south-eastern end of that bridge:

Provided always that the Company shall not stop up the said portion of Ferry Lane or of Forest Road until the new bridge and the new road are completed to the satisfaction of the road authority and are open for public use or in case of difference between the Company and the road authority until two justices shall have certified that the new bridge and the new road have been completed to their satisfaction and are open for public use.

Before applying to the justices for their certificate the Company shall give to the road authority seven days' notice in writing of their intention to apply for the same.

As from the completion of the new bridge and the new road to the satisfaction of the road authority or as from the date of the said certificate as the case may be all rights of way over or along the said portions of Ferry Lane and Forest Road shall be extinguished and the Company may appropriate and use for the purposes of their undertaking the site of the said portion of Ferry Lane so stopped up as aforesaid:

Provided that the Company shall make full compensation to all parties interested in respect of any private rights of way extinguished by virtue of this section 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.

8. Subject to the provisions of this Act the Company may for the purposes of and in connection with the construction and maintenance of the new bridge and works in connection therewith upon any lands and in any street within the limits defined on the deposited plans temporarily or permanently open break up stop up alter divert and interfere with any streets highways roads passages footways tramways light railways bridges sewers mains pipes gas and water mains tubes wires electrical and other apparatus steps areas cellars windows and pipes which it may be necessary or expedient so to open break up stop up alter divert or interfere with making proper substituted works during any alteration and causing as little detriment and inconvenience as circumstances admit and making reasonable

Power to  
alter streets  
&c.



A.D. 1911. compensation to any company or person for any damage such company or person may suffer thereby:

Provided that the Company shall afford reasonable access to all persons bonâ fide going to or returning from any house in any such road or street:

Provided also that nothing in this section shall extend to or 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 except in accordance with and subject to the provisions of the last-mentioned section.

As to accom-  
modation for  
new tele-  
graph lines  
on bridge.

9.—(1) The Company shall in constructing the new bridge and the works in connection therewith by this Act authorised provide such accommodation under the footway on both sides of the said bridge as shall be sufficient for three three-and-a-quarter inch pipes containing telegraphic lines under each footway The accommodation shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and approved by the Postmaster-General Provided that if within one month of the receipt of the said plans sections and particulars the Postmaster-General shall not have intimated to the Company his disapproval thereof or made any requirement with respect thereto he shall be deemed to have approved the same.

(2) Subject to the provisions of this section the provisions of the Telegraph Act 1878 with reference to alterations of telegraphic lines of the Postmaster-General shall apply to any alteration of telegraphic lines of the Postmaster-General which may be involved in the execution of any works authorised by this Act.

Power to  
deviate.

10. Subject to the provisions of this Act the Company may in the construction of the new bridge and works by this Act authorised deviate to any extent not exceeding five feet from the levels thereof respectively defined on the deposited sections and may deviate from the lines thereof to any extent within the limits of deviation defined on the deposited plans.

Confirmation  
of agreement  
with Essex  
Council and  
Waltham-  
stow Coun-  
cil.

11. The agreement set forth in the Second Schedule to this Act and made between the Company of the first part the Essex Council of the second part and the Walthamstow Council of the third part is hereby confirmed and made binding on the said parties thereto and for the purposes of the said agreement

the Essex Council shall have and may exercise in their own name and on their own behalf and subject to the provisions of this Act all or any of the powers by this Act conferred upon the Company for or in relation to the construction and main-  
tenance of the new bridge approaches and works.

12. So soon as the portions of Ferry Lane and Forest Road authorised to be stopped up by the section of this Act of which the marginal note is "Stopping up part of Ferry Lane and Forest Road" shall have been stopped up and all rights of way thereover extinguished and the existing bridge carrying Forest Road over the Old River Lee shall have been removed as provided by this Act the new bridge shall become and be a county bridge vested in the Essex Council and be maintained by them accordingly:

New bridge  
to be a county  
bridge.

Provided always that if and so long as there shall be a light railway belonging to the Walthamstow Council on the new bridge the Walthamstow Council shall maintain and repair so much of the roadway over the new bridge as shall lie between the rails of such railway and as shall extend for eighteen inches beyond such rails on either side thereof.

13. All expenses incurred by the Essex Council under the provisions of this Act shall be paid out of the county fund and revenues and shall be deemed to be expenses incurred on behalf of general county purposes and the Essex Council may include all such expenses in any precept or rate made to meet the expenses of the administrative county of Essex under the Local Government Act 1888.

As to ex-  
penses of  
Essex  
Council.

14. For the protection of the Lee Valley Drainage Commissioners (hereinafter in this section referred to as "the commissioners") the following provisions shall unless otherwise agreed upon in writing between the commissioners and the Company (which expression when used in this section shall in the event of the Essex Council constructing the new bridge mean that council) and notwithstanding anything shown on the deposited plans and sections or contained in this Act have effect (that is to say):—

For protec-  
tion of Lee  
Valley  
Drainage  
Commis-  
sioners.

(1) The new bridge shall be constructed in such a manner that the underside of the new bridge in the centre of the span shall be at a level of not less than 29.5 feet above Ordnance datum Provided that the height



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above Ordnance datum of the underside of the girders at each of the abutments of the new bridge shall not be less than 24.00 feet being the level shown upon the plan agreed with the Walthamstow Council and sealed by the commissioners upon the eleventh day of January one thousand nine hundred and seven:

(2) In the event of any claims being made against the commissioners for compensation for any injury or damage arising from the construction of the new bridge or from the substitution thereof for the existing bridge the Company shall free and relieve the commissioners of all such claims:

(3) The Company shall provide all lights and watchmen reasonably required by the commissioners during the construction of their works:

(4) The Company shall before commencing the construction of the new bridge or any other works affecting the Old River Lee or property or rights of the commissioners submit detailed plans and sections thereof to the commissioners and such plans and sections shall for the purpose of securing that the provisions of subsection (1) of this section are duly complied with be subject to the reasonable approval of the engineer of the commissioners or of the arbitrator to be appointed as hereinafter provided and the works shall be carried out in accordance with the said plans and sections and to the reasonable satisfaction of the engineer of the commissioners whose reasonable charges in respect thereof shall be paid by the Company. Provided always that if the commissioners shall not for the period of twenty-eight days after the said plans and sections shall have been submitted to them as aforesaid object to the same they shall be deemed to have approved thereof and the Company may proceed to construct the new bridge and works in accordance with such plans and sections but if within the said period the commissioners shall disapprove the said plans and sections the same shall (unless the parties otherwise agree in writing) be referred to an engineer to be agreed upon between the commissioners and the Company or in default of agreement to be

appointed as hereinafter provided who shall be at liberty to modify the same in such manner and to such extent as he may think necessary: A.D. 1911.

(5) Any difference that may arise between the commissioners and the Company under subsections (3) and (4) of this section shall be referred to and determined by a single arbitrator to be appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

### PART III.

#### TRAMWAYS.

15. Subject to the provisions of this Act the Company may make form lay down work use and maintain in the lines and according to the levels shown on the deposited plans and sections the tramways hereinafter described with all proper rails plates sleepers works and conveniences connected therewith (that is to say):—

Power to  
make tram-  
ways.

Tramway No. 3 (single line 7.55 chains or thereabouts in length) situate in the parishes of Little Stanmore and Edgware in the rural district of Hendon in the county of Middlesex commencing in Edgware Road by a junction with the existing light railway of the Middlesex Council at a point 14 yards or thereabouts south of the south-eastern side of Church Lane passing thence into and in a north-easterly direction along and terminating in Church Lane at the entrance gate to the Edgware Station yard of the Great Northern Railway Company near the Railway Hotel:

Tramway No. 5 (single line 2.15 chains or thereabouts in length) situate wholly in the parish and urban district of Willesden in the county of Middlesex commencing in High Street Harlesden by a junction with the existing light railway of the Middlesex Council at a point 27 yards or thereabouts north of the northern side of Station Road passing thence into and terminating in Station Road by a junction with the existing light railway of the Middlesex Council at a point 8 yards or thereabouts west of the western side of Wendover Road.



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Power to  
make addi-  
tional cross-  
overs &c.

**16.**—(1) The Company may subject to the provisions of this Act with the consent of the Board of Trade make maintain alter and remove in over or upon any street or road such cross-overs passing-places sidings junctions and other works in addition to those particularly specified in and authorised by this Act as they find necessary or convenient for the efficient working of the tramways or for connecting the tramways with any other tramways or light railways belonging to or worked by the Company or over which the Company may have running powers or for providing access to any warehouses stables or carriage-houses or works of the Company.

(2) Notwithstanding anything shown on the deposited plans the Company may with the consent of the Board of Trade lay down double lines in lieu of single or interlacing lines or single lines in lieu of double or interlacing lines or interlacing lines in lieu of double or single lines on any of the tramways and may with the like consent at any time alter the position in the road of any of the tramways or any part thereof.

(3) Provided that if in the construction of any works under this section in connection with the tramway any rail is intended to be laid nearer to the footpath than previously authorised in such a manner that for a distance of thirty feet or upwards a less space than nine feet six inches would intervene between it and the outside of the footpath on either side of the road the Company shall not less than one month before commencing the works give notice in writing to every owner and occupier of houses shops or warehouses abutting on the place where such less space would intervene and such rail shall not (except with the consent of the Board of Trade) be so laid if the owners or occupiers of one-third of such houses shops or warehouses by writing under their hands addressed and delivered to the Company within three weeks after receiving the notice from the Company express their objection thereto.

Confirmation  
of existing  
tramway.

**17.** The construction by the Company of the existing tramway in Lower Fore Street in the parish and urban district of Edmonton in the county of Middlesex commencing in Lower Fore Street by a junction with the existing tramway of the Company at or near a point opposite the northern side of Bridge Road passing thence in a northerly direction along and terminating in Lower Fore Street at a point sixty-two yards or thereabouts north of the northern side of the said Bridge Road

is hereby sanctioned and confirmed and the said tramway shall A.D. 1911.  
for the purpose of tolls fares and other charges and for all  
other purposes whatsoever form part of the undertaking of the  
Company.

**18.** The following provisions of the Act of 1908 shall extend and apply to the tramways as if they had been re-enacted in this Act and as if they were tramways referred to in those sections respectively:—

- Section 6 (Gauge of tramways);
- Section 7 (As to electrical works &c.);
- Section 8 (Temporary tramways may be made when necessary);
- Section 9 (Company may reduce footpath for constructing tramway);
- Section 10 (Rails of tramway);
- Section 11 (Plan of proposed mode of construction);
- Section 12 (Penalty for not maintaining rails and roads);
- Section 13 (Tramway to be kept on level of surface of road);
- Section 14 (Application of road materials excavated in construction of works);
- Section 15 (Sanitary authority to have access to sewers);
- Section 19 (Stopping up of roads during construction of tramway);
- Section 20 (As to alteration of level of roads on which tramway is laid);
- Section 24 (As to notices to Company under section 30 of Tramways Act 1870);
- Section 25 (Provisions as to motive power);
- Section 26 (Special provisions as to use of electrical power);
- Section 27 (Alteration of telegraph lines of Postmaster-General);
- Section 28 (For protection of Post Office telegraph lines);
- Section 29 (Use of tramway posts by Postmaster-General);
- Section 30 (Attachment of brackets to buildings);



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- Section 33 (Apparatus used for mechanical power to be deemed part of tramway);
- Section 34 (Byelaws);
- Section 35 (As to generating station);
- Section 36 (Inspection by Board of Trade);
- Section 37 (Passengers' fares);
- Section 38 (Passengers' luggage);
- Section 39 (Traffic on tramway);
- Section 40 (As to fares on Sundays or holidays);
- Section 41 (Cheap fares for labouring classes);
- Section 42 (Periodical revision of rates and charges);
- Section 43 (Orders &c. of the Board of Trade);
- Section 52 (Power to remove obstructions);
- Section 67 (General provisions as to passengers' fares); and
- Section 68 (Rates for parcels).

Company not bound to carry passengers on Tramway No. 3.

19. Nothing in this Act shall impose upon the Company any obligation to carry passengers upon Tramway No. 3 by this Act authorised.

Period for completion of tramways.

20. The tramways by this Act authorised shall be completed within five years from the passing of this Act and on the expiration of that period the powers by this Act granted to the Company for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall be then completed.

Penalty imposed unless tramway opened within limited time.

21. If the Company fail within the period limited by this Act to complete Tramway No. 5 by this Act authorised and open the same for public traffic or to complete Tramway No. 3 by this Act authorised the Company shall be liable to a penalty of fifty pounds a day for every day after the expiration of the period so limited until the sum received in respect of such penalty amounts to five per centum on the estimated cost of the uncompleted tramway or tramways and the said penalty may be applied for by any road authority landowner or other person claiming to be compensated or interested in accordance with the provisions of the next following section of this Act and in the same manner as the penalty provided in the third section of the Railway and Canal Traffic Act 1854 And every sum of

money recovered by way of such penalty as aforesaid shall be paid under the warrant or order of such court or judge as is specified in that section to an account opened or to be opened in the name of the Paymaster-General for and on behalf of the supreme court in the bank and to the credit specified in such warrant or order and shall not be paid thereout except as herein-after provided But no penalty shall accrue in respect of any time during which it shall appear by a certificate to be obtained from the Board of Trade that the Company was prevented from completing or opening the uncompleted tramway or tramways by unforeseen accident or circumstances beyond their control Provided that the want of sufficient funds shall not be held to be a circumstance beyond their control.

22. Every sum of money so recovered by way of penalty as aforesaid shall be applicable and after due notice in the London Gazette shall be applied towards compensating any land-owners or other persons whose property may have been interfered with or otherwise rendered less valuable by the commencement construction or abandonment of the uncompleted tramway or tramways or any portion thereof in respect of the non-completion of which the same was recovered and also in compensating all road authorities for the expense incurred by them in taking up the tramways or materials connected therewith placed by the Company in or on any road vested in or maintainable by such road authorities respectively and in making good all damage caused to such roads by the construction or abandonment of the uncompleted tramway or tramways and shall be distributed in satisfaction of such compensation as aforesaid in such manner and in such proportions as to the High Court may seem fit And if no such compensation shall be payable or if a portion of the sum or sums of money so recovered by way of penalty as aforesaid shall have been found sufficient to satisfy all just claims in respect of such compensation then the said sum or sums of money recovered by way of penalty or such portion thereof as may not be required as aforesaid shall if a receiver has been appointed or the Company is insolvent and has been ordered to be wound up or the uncompleted tramway or tramways or any part thereof have been abandoned be paid or transferred to such receiver or to the liquidator or liquidators of the Company or be applied in the discretion of the court as part of the assets of the Company for the benefit of the

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Application of penalty.



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for a distance of 58 yards or thereabouts measured in a southerly direction:

Work C A widening of Broad Lane and The Hale on their north-western and western sides respectively extending from a point 9 yards or thereabouts north-east of the western end of Cottage Place for a distance of 110 yards or thereabouts measured in a north-easterly and northerly direction:

Work D A widening of Broad Lane on its northern side extending from the eastern side of High Road Tottenham to a point 48 yards or thereabouts west of the western side of Talbot Road:

Work E A widening of Broad Lane on its southern side extending from a point 50 yards or thereabouts east of the eastern side of High Road Tottenham to a point 21 yards or thereabouts east of a point opposite the eastern side of Talbot Road:

Work F A widening of Broad Lane on its southern side extending from a point 11 yards or thereabouts west of the western side of Earlsmead School Buildings to the western side of Walton Road:

Work G A widening of Broad Lane on its northern side extending from the eastern side of Hanover Road to a point opposite the western side of Stamford Road:

Work H A widening of Broad Lane on its southern side extending from the eastern side of Stamford Road to a point 9 yards or thereabouts west of the western side of Markfield Road:

In the parish and urban district of Enfield—

Work K A widening of Hertford Road on its western side extending from the northern side of Southbury Road for a distance of 6 yards or thereabouts measured in a northerly direction:

Work L A widening of Hertford Road on its eastern side extending from the northern side of Nag's Head Road for a distance of 24 yards or thereabouts measured in a northerly direction:

In the parish and urban district of Willesden—

Work M A widening of High Street Harlesden and Station Road on their western and northern sides respectively extending from a point 12 yards or thereabouts north-west of the northern side of Station Road

to a point 16 yards or thereabouts south-west of the western side of High Street: A.D. 1911.

Work N A widening of Station Road and Acton Lane or one of them on their northern sides extending from the eastern end of Manor Villas for a distance of 10 yards or thereabouts measured in a westerly direction:

In the parish and metropolitan borough of Hampstead and the parish and urban district of Hendon or one of them—

Work O A widening of Finchley Road on its eastern side between points respectively situate 10 yards or thereabouts and 25 yards or thereabouts measured in a southerly direction from the southern side of Pattison Road:

In the parish and urban district of Hendon—

Work P A widening of Finchley Road on its eastern side extending from the northern side of Pattison Road for a distance of 45 yards or thereabouts measured in a northerly direction:

Work Q A widening of Finchley Road on its western side between points respectively situate 58 yards or thereabouts and 109 yards or thereabouts measured in a southerly direction from the southern side of Hodford Road:

Work R A widening of Edgware Road on the north-eastern side thereof between points respectively 126 yards or thereabouts and 176 yards or thereabouts measured in a south-easterly direction from a point opposite the southern side of Kingsbury Road:

Work S A widening of Edgware Road on the north-eastern side thereof between points respectively 73 yards or thereabouts and 110 yards or thereabouts measured in a south-easterly direction from a point opposite the southern side of Kingsbury Road:

Work T A widening of Edgware Road on the north-eastern side thereof between points respectively 44 yards or thereabouts and 141 yards or thereabouts measured in a north-westerly direction from a point opposite the south-eastern side of Hay Lane:



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Work U A widening of Edgware Road on the north-eastern side thereof between points respectively 33 yards or thereabouts and 122 yards or thereabouts measured in a south-easterly direction from the south-eastern side of Colindale Avenue :

Work V A widening of Edgware Road on the north-eastern side thereof between points respectively 29 yards or thereabouts and 88 yards or thereabouts measured in a north-westerly direction from the north-western side of Colindale Avenue :

Work W A widening of Edgware Road on the north-eastern side thereof extending from the south-eastern side of the entrance to the Company's Hendon Depot for a distance of 60 yards or thereabouts measured in a south-easterly direction :

Work X A widening of Edgware Road on the north-eastern side thereof between points respectively 82 yards or thereabouts and 359 yards or thereabouts measured in a north-westerly direction from the north-western side of the entrance to the Company's Hendon Depot.

As to certain common lands.

**28.** The Company shall not purchase or acquire any greater area than nine poles of the common or commonable lands known as Page Green Common in the parish and urban district of Tottenham and any portion of the said lands acquired by the Company under the powers of this Act shall be thrown into and form part of Broad Lane as widened under the powers of this Act :

Provided that the Company shall remove any trees and shrubs growing upon the portion of Page Green Common acquired by them under the powers of this Act and so far as such trees and shrubs are reasonably suitable for the purpose shall transplant the same in such position in the remainder of the said common as the Tottenham Urban District Council may reasonably direct.

Power to make subsidiary works.

**29.** Subject to the provisions of this Act the Company may in connection with the road widenings authorised by this Act and for the purposes thereof make junctions and communications with any existing streets or roads which may be intersected or interfered with by or be contiguous to the said roads and may make diversions widenings or alterations of the lines or levels

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of any existing streets or roads for the purpose of connecting the same with the said roads and may alter divert or stop up all or any part of any drain sewer or channel the Company providing a proper substitute before interrupting the flow of sewage in any drain or sewer and making compensation for any damage done by them in the execution of the powers of this section.

#### PART V.

#### MISCELLANEOUS.

**30.** If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown upon the deposited plans or specified in the deposited book of reference the Company 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 for the correction thereof and if it appear to the justices that the omission mis-statement or wrong description arose from mistake they shall certify the same accordingly and they shall in their 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 said county and a duplicate thereof shall also be deposited with the town clerk of the borough or the clerk to the district council of the district (as the case may be) in which the lands affected thereby are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate 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 Company to take the lands and execute the works in accordance with such certificate.

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

**31.** Any approaches to the new bridge and any lands shown on the deposited plans and acquired under the powers of this Act and added to any street or road for the purpose of widening the same shall vest in and be maintained by the authority in whom the other streets or roads in the district within which such approaches or widenings may be situate to the same extent as such other streets and roads are vested in and maintained by such authority.

Bridge approaches and widenings to form part of highway.



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For pro-  
tection of  
Postmaster-  
General.

**32.** If any works authorised by this Act involve the removal or alteration of any post office letter box the Company shall not remove or alter such box but shall give notice to the Postmaster-General of the removal or alteration required and the Postmaster-General shall remove or alter the box as he may think fit and the Company shall pay to the Postmaster-General all expenses incurred by him in relation to such removal or alteration.

For pro-  
tection of  
Colne Valley  
Water Com-  
pany.

**33.** For the protection of the Colne Valley Water Company (in this section referred to as "the water company") the following provisions shall have effect (that is to say):—

(1) Before commencing any works by this Act authorised in or under any street in or under which any mains pipes or apparatus (hereinafter in this section referred to as "mains or apparatus") of the water company are situate the Company shall from time to time deliver to the water company plans and sections and a description of the 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 water company at least fourteen days before the commencement of any such work:

If it should appear to the water company that such works will endanger any of their mains or apparatus or interfere with or impede the supply of water they may give notice to the Company to lower or otherwise alter the position of such mains or apparatus or to support the same or to substitute temporarily or otherwise other mains or apparatus in such manner as may be reasonably considered necessary by the water company or to lay or place under any mains or apparatus cement concrete or other like substance for support Any difference which may arise between the Company and the water company as to the necessity of any such lowering or alteration or other works as aforesaid shall be settled as hereinafter in this section provided and all such works shall be executed by the Company to the reasonable satisfaction and under the superintendence of the engineer of the

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water company if he shall give such superintendence after receiving not less than forty-eight hours notice for that purpose and all costs charges and expenses of such works together with all necessary and reasonable superintendence shall be paid by the Company:

(2) In the event of such plans sections and descriptions so delivered to the water company as aforesaid not being objected to within fourteen days the said works shall be executed in strict accordance therewith:

(3) The Company shall not remove or displace any mains or apparatus belonging to the water company or do anything to impede the passage of water into or through such mains or apparatus without the consent of the water company or in any other manner than the water company shall approve until good and sufficient mains or apparatus necessary or proper for continuing the supply of water as sufficiently as the same was supplied by the mains or apparatus proposed to be removed or displaced shall at the expense of the Company have been first made and brought into use in lieu thereof as hereinbefore provided:

(4) The Company shall make good all damage done by them to property belonging to or controlled by the water company and shall make full compensation to all parties for any loss or damage which they may sustain by reason of any interference with such property or with the private service pipes of any person supplied by the water company with water:

(5) If by any works by this Act authorised the Company interrupt the supply of water in or through any mains or apparatus of the water company the Company shall be liable to a penalty not exceeding twenty pounds for every day upon which the supply shall be so interrupted:

(6) If any difference shall arise with respect to any matter under this section between the Company and the water company or their engineers or concerning



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For pro-  
tection of  
Metropolitan  
Water  
Board.

any plans sections or descriptions to be delivered to the water company under the foregoing provisions of this section the matter in difference shall unless otherwise agreed be referred to and settled by an arbitrator to be appointed on the application of either party by the Board of Trade and subject as aforesaid the provisions of the Arbitration Act 1889 shall apply to any such reference.

**34.** For the protection of the Metropolitan Water Board (in this section referred to as "the board") the following provisions shall unless otherwise agreed in writing between the board and the Company have effect (that is to say):—

- (1) The Company shall not remove alter or interfere with
- (A) the existing main of the board which now spans the Old River Lee on the south side of the existing bridge carrying Forest Road over that river or (B) any portion of the wing walls of the said existing bridge in which the said main is placed or supported unless such removal alteration or interference shall be actually necessary for the purpose of constructing the new bridge nor shall they remove the said main until they shall have laid a substituted main in accordance with the provisions of this section. If it shall be necessary for the Company to remove alter or interfere with the said existing main or wing walls they shall before carrying out any such removal alteration or interference give fourteen days notice to the board of their intention so to do and shall at the same time deliver to the board a plan and section showing any such proposed alteration or interference or the position in which and the level at which they propose to lay such substituted main as aforesaid. If it should appear to the board that any such alteration or interference as aforesaid would endanger the said existing main or that the laying of any such substituted main as aforesaid would expose the same to danger the board shall have the like right of requiring the Company to lower or otherwise alter the position of the said existing or substituted main as they have under section 30 of the Tramways Act 1870 with respect to mains laid in a road in

which a tramway is intended to be laid down and subject as aforesaid all the provisions of that section as amended and extended by this section shall extend and apply to and with respect to such removal alteration or interference and the laying of such substituted main:

- (2) The Company shall provide and thereafter maintain throughout the whole length of the new bridge and the approaches thereto such accommodation as is hereinafter specified for any mains which the board may after the construction of the new bridge and the said approaches desire to carry across or under the same (that is to say):—

(A) The said accommodation shall be sufficient for two mains having each an internal diameter of twelve inches to be laid side by side;

(B) The said accommodation shall be such that the space below above and on each side of each of the said mains shall be sufficient to enable the servants of the board to obtain proper access to the said mains for the purpose of repairing examining or otherwise dealing with the same;

(C) The accommodation provided shall be situate beneath the footway or footways of the new bridge and approaches;

(D) The accommodation shall be provided and constructed in accordance with plans sections and particulars to be previously submitted to and reasonably approved by the board or in case of difference settled by arbitration as hereinafter provided. Provided that if within one month after the receipt of any such plans sections and particulars the board shall not intimate to the Company their disapproval thereof or make any requirement with respect thereto they shall be deemed to have approved the same:

If the provision of such accommodation as aforesaid shall involve any increase in the cost of constructing the new bridge or approaches the board shall upon the completion of the new bridge repay to the Company the amount by which such cost shall be



A.D. 1911. 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.

Owners may be required to sell parts only of certain properties.

**36.** And whereas in the exercise by the Company 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 Company 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 Company or each or any of them are hereinafter included in the term "the owner" and the said properties are hereinafter 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 Company 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 Company such portion only without the Company being obliged or compellable to purchase the whole the Company 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 Company allege that such portion cannot be so severed the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted (hereinafter referred to as "the tribunal") shall in addition to the other questions required to be determined by it determine

A.D. 1911. 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 Company 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 Company the portion which the tribunal shall have determined to be so severable without the Company being obliged or compellable to purchase the whole the Company 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 Company 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



A.D. 1911.

material detriment thereto but that any such other portion as aforesaid can be so severed the Company 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.

Power to  
acquire ease-  
ments.

**37.** Notwithstanding anything contained in this Act or shown on the deposited plans the Company shall not be required to purchase or acquire any part of the Old River Lee or of the bed banks and foreshore thereof or to acquire any greater right or interest therein than the right to use the same for the purpose of constructing and maintaining the new bridge and the works connected therewith but the Company may purchase and acquire and the owners of and other persons interested in the said river and bed banks and foreshore shall sell to the Company if required such right or easement as aforesaid.

Period for  
compulsory  
purchase of  
lands.

**38.** The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Costs of  
arbitration  
&c. in cer-  
tain cases.

**39.** The tribunal to whom any question of disputed purchase-money or compensation under this Act is referred shall if so required by the Company award and declare whether a statement in writing of the amount of compensation claimed has been delivered to the Company by the claimant giving sufficient particulars and in sufficient time to enable the Company 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 Company have been prejudiced thereby the tribunal shall have power to decide whether the claimant's costs or any part thereof shall be paid by the claimant: A.D. 1911.

Provided that it shall be lawful for any judge of the High Court to permit any claimant after seven days notice to the Company to amend the statement in writing of the claim delivered by him to the Company 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 Company if they object to the amendment and such amendment shall be subject to such terms enabling the Company 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.

**40.** In settling any question of disputed purchase-money or compensation under this Act the tribunal settling the same shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the thirtieth day of November one thousand nine hundred and ten if in the opinion of such tribunal the improvement alteration or building for 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. Compensation in cases of recently altered buildings.

**41.** The powers granted by the Metropolitan Electric Tramways Act 1905 as extended by the Act of 1908 for the compulsory purchase of the lands by the said Act of 1905 authorised to be acquired are hereby extended and may be exercised by the Company during a period of three years from the passing of this Act and on the expiration of that period those powers shall cease. Extension of time for purchase of lands under Act of 1905.



A.D. 1911.

Extension of  
time for con-  
struction of  
light rail-  
ways autho-  
rised by  
Order of  
1906.

**42.** The powers granted by the Order of 1906 as extended by an order of the Board of Trade dated the third day of August one thousand nine hundred and nine for the construction of the light railways authorised by the Order of 1906 are hereby extended and may be exercised by the Company during a period of eighteen months from the passing of this Act and on the expiration of that period those powers shall cease.

Cancelling  
certain  
notices to  
treat.

**43.** The Company may by notice in writing within twelve months after the passing of this Act cancel the notices served by them to treat for the purchase of the lands numbered on the deposited plans referred to in the Order of 1906 176 to 179 182 to 193 203 to 205 and 207 to 224 all numbers inclusive in the parish and urban district of Tottenham and thereupon the Company shall be released from all liability to purchase any such land but notwithstanding full compensation shall be made by the Company to the persons upon whom the said notices have been served for all injury or damage sustained by them respectively by reason of the service of such notices and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Power to  
Middlesex  
Council as  
to light rail-  
ways and  
purchase of  
tramways  
&c.

**44.—(1)** Notwithstanding anything contained in the Tramways Act 1870 or in any Act or Order relating to the Company the Company shall on receiving not less than three months' notice in writing from the Middlesex Council requiring them so to do sell to the Middlesex Council and the Middlesex Council may purchase and acquire on such terms and conditions as may be agreed between the Company and the Middlesex Council or as failing agreement may be settled by arbitration as hereinafter provided all or any of the tramways and when any such sale has been made any tramway so sold shall be and become part of the Middlesex undertaking and all the powers of the Company in respect of any tramway purchased by the Middlesex Council may be exercised by the Middlesex Council in like manner as if such powers had been directly conferred upon the Middlesex Council by this Act relating to such tramway.

(2) Notwithstanding anything contained in the Order of 1906 the Company shall on receiving not less than three months'

A.D. 1911.

notice in writing from the Middlesex Council requiring them so to do sell and transfer to the Middlesex Council and the Middlesex Council may purchase and acquire on such terms and conditions as may be agreed between the Company and the Middlesex Council or as failing agreement may be settled by arbitration as hereinafter provided all or any of the powers vested in the Company under the Order of 1906 or this Act in respect of all or any of the light railways authorised by that Order and the street widenings in the county of Middlesex authorised by this Act and on the completion of any such sale and purchase all the rights powers privileges and authorities which by the Order of 1906 or by this Act are conferred upon the Company shall (so far as the same relate to the light railways and street widenings in respect of which powers are so transferred) be vested in and all obligations of the Company in respect of such railways and street widenings shall be transferred to and be binding upon the Middlesex Council who may in their own name and under their own seal or under the hands of their officers and servants exercise all those rights powers privileges and authorities and shall be bound by all such obligations as aforesaid as fully and effectually in all respects as the Company might have exercised or would have been bound by the same if such transfer and vesting had not taken place.

(3) If any difference shall arise between the Company and the Middlesex Council under the foregoing provisions of this section such difference shall be settled in manner provided by section 33 of the Tramways Act 1870.

(4) Any tramway or light railway purchased or constructed by the Middlesex Council under the provisions of this section and any tramways or light railways connected therewith and worked by that council shall for the purpose of calculating the maximum fares rates and charges be deemed to be one undertaking.

(5) The Middlesex Council may lease any tramway or light railway purchased or constructed by them under the provisions of this section to any corporation company or person in accordance with the provisions of sections 112 and 113 of the Railways Clauses Consolidation Act 1845.

(6) Every such lease shall imply a condition of re-entry if the lessees discontinue the working of the railway leased or



A.D. 1911. any part thereof for the space of three months (such discontinuance not being occasioned by circumstances beyond the reasonable control of the lessees for which purpose the want of sufficient funds shall not be considered a circumstance beyond their reasonable control).

Release of  
deposit under  
Order of  
1906.

45. At any time after the date of any transfer to the Middlesex Council of the powers of the Company under the Order of 1906 the sum of two thousand pounds deposited by the Company to the account of the Paymaster-General for and on behalf of the supreme court under section 78 of the Order of 1906 or any stocks funds or securities representing such deposit may and shall on the application of the Company and notwithstanding anything contained in the Order of 1906 be paid to the Company together with any dividends interest or income which shall have become due thereon on or before the date of payment.

As to powers  
of purchas-  
ing authority  
under Order  
of 1906.

46. As from the date of any transfer to the Middlesex Council of the powers of the Company under the Order of 1906 the powers conferred by section 73 of the Order of 1906 upon the purchasing authority as therein defined shall cease to be exerciseable.

As to bye-  
laws by local  
authority.

47. As from the date of any transfer to the Middlesex Council of the powers of the Company under the Order of 1906 the powers of the local authority of any district in the county of Middlesex in which any part of any light railway is laid to make byelaws in relation to any of the matters hereinafter mentioned shall by virtue of this Act be repealed (that is to say):—

Byelaws in relation to—

The distances at which carriages using such part of the railway shall be allowed to follow one after the other;

For regulating the placing and fixing on the carriages of advertisement boards and placards and notices and the removal thereof if the same are unsafe unsightly or inconvenient;

For preventing overcrowding of the carriages;

For regulating the hours for the conduct on such part of the railway of any traffic other than that of passengers and small parcels.

48. In the event of any purchase by the Middlesex Council of the tramways or any of them or of any transfer to the Middlesex Council of the powers of the Company under the provisions of the section of this Act of which the marginal note is "Power to Middlesex Council as to light railways and purchase of tramways &c." the following provisions shall have effect (that is to say):—

A.D. 1911.  
Power to  
Middlesex  
Council to  
borrow.

(1) The Middlesex Council may borrow for the purposes of any such purchase or of the execution of any powers so transferred of which the expense is properly chargeable to capital such sum as may be required not exceeding seventy-five thousand pounds and such further sums as may from time to time be authorised by the Board of Trade:

(2) The said powers of borrowing money shall be in addition to and independent of any other borrowing power of the Middlesex Council and shall not be restricted by any of the regulations contained in section 69 of the Local Government Act 1888 and in calculating the amount which the Middlesex Council may borrow under that Act any sums which they may borrow under this Act shall not be reckoned:

(3) In order to secure the repayment of the moneys so to be borrowed and the payment of the interest thereon the Middlesex Council may mortgage or charge the revenue of the Middlesex undertaking and in addition thereto and as a collateral security they may mortgage or charge their county fund and county rate.

49.—(1) In addition to the power of the Middlesex Council to raise moneys by county stock under the Local Government Act 1888 and the county stock regulations the Middlesex Council may raise all or any moneys which they are authorised to borrow under this Act either—

Mode of rais-  
ing money by  
Middlesex  
Council.

(A) By mortgage; or

(B) By the issue of debentures or annuity certificates under and subject to the provisions of the Local Loans Act 1875; or

(c) Partly in one such way and partly in another

Provided that if the Middlesex Council borrow by debentures such debentures may be for any amount not less than five pounds and the provisions of this Act relating to the sinking fund shall



A.D. 1911. — apply in the place of those of section 15 of the Local Loans Act 1875.

(2) The following sections of the Public Health Act 1875 shall extend and apply to mortgages granted under this Act (that is to say):—

- Section 236 Form of mortgage;
- Section 237 Register of mortgages;
- Section 238 Transfer of mortgages;
- Section 239 Receiver may be appointed in certain cases.

Period for  
repayment  
of money  
borrowed by  
Middlesex  
Council.

50. The Middlesex Council shall pay off all moneys authorised to be borrowed by them under the powers of this Act within fifty years from the date or dates of borrowing the same and any further sum or sums which the Board of Trade may authorise the Middlesex Council to borrow within such period as that Board may prescribe and the said periods are in this Act respectively referred to as "the prescribed period."

Mode of re-  
payment of  
money bor-  
rowed.

51.—(1) The Middlesex Council shall pay off all moneys borrowed by them under the powers of this Act either—

(A) By equal yearly or half-yearly instalments of principal;  
or

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

(C) By equal annual payments to a sinking fund formed and maintained in accordance with the provisions of the Second Schedule to the County of Middlesex (Waltham Cross and Enfield) Light Railways Order 1906; or

(D) Partly in one such way and partly in another.

(2) The first of such instalments or payments shall be made within twelve months (or if the instalments be half-yearly within six months) of the prescribed time.

(3) The prescribed time shall be—

(i) The time of borrowing the sum in respect of which the payment is made; or

(ii) If and so far as the payment off is by—

(A) Instalments of principal; or

(B) Payments to a sinking fund

such date not later than two years from the commencement of this Act as the Middlesex Council may prescribe.

(4) The provisions of paragraph 3 of the Second Schedule to the County of Middlesex (Waltham Cross and Enfield) Light Railways Order 1906 with respect to instalments shall apply to instalments under this section. A.D. 1911.

(5) If moneys authorised to be borrowed under this Act are raised by the issue of county stock the Middlesex Council shall not be required to make any provision for the redemption of such stock at an earlier date than that at which the first payment to a sinking fund under this Act would have been payable if the moneys had been raised otherwise than by county stock.

52.—(1) The Middlesex Council shall have power—

Power to re-  
borrow.

(A) to borrow for the purpose of paying off any moneys previously borrowed under this Act which are intended to be forthwith repaid; or

(B) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Middlesex Council in repaying moneys previously borrowed under this Act and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this section shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this section.

(3) The Middlesex Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Middlesex Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

(A) by instalments or annual payments; or

(B) by means of a sinking fund; or

(C) out of moneys derived from the sale of land; or

(D) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.



A.D. 1911. **53.** Any person lending money to the Middlesex Council under this Act shall not be bound to inquire as to the observance by them of any provisions of this Act or be bound to see to the application or be answerable for any loss or non-application of the money lent or of any part thereof.

Protection of lender from inquiry.  
**54.** Moneys borrowed or raised by the Middlesex Council under this Act shall be applied only to the several purposes in respect of which they were respectively authorised to be borrowed or raised and to which capital is properly applicable.

Application of money borrowed.  
**55.** Nothing in this Act shall prejudicially affect any charge on the revenue and rates or the estates and property of the Middlesex Council subsisting at the commencement of this Act and every mortgagee or person for the time being entitled to the benefit of any such charge shall have the same priority of charge and all the like rights and remedies in respect of the revenue rate and property subject to his charge as if this Act had not been passed.

Saving for existing charges.  
**56.** Any deficiency of income from the Middlesex undertaking to meet the expenses thereof in any year shall be made up out of the county fund and the next county rate made by the Middlesex Council shall be increased so far as may be necessary to replace in the county fund the amount paid out of that fund to make up such deficiency.

Provision for deficiency of income from Middlesex undertaking.  
**57.** All moneys received (including any penalties recovered) by the Middlesex Council in respect of the Middlesex undertaking except (A) borrowed money (B) money arising from the disposal of lands acquired for the purposes of the Order of 1906 and (C) any other money of the nature of capital money received by them under the provisions of this Act shall be applied by them in payment of the working and establishment expenses and cost of maintenance of the Middlesex undertaking including all costs expenses penalties and damages incurred or payable by the Middlesex Council consequent upon any proceedings by or against the Middlesex Council their officers or servants in relation to the Middlesex undertaking and after such payment shall be applied as follows:—

- (1) In payment of the interest or dividend on any mortgages or other securities granted and issued by the Middlesex Council in respect of money borrowed for the purposes of the Order of 1906 or of this Act:

- (2) In payment of any sums required to be paid for any instalments appropriations or annual repayments or sinking fund in respect of moneys borrowed for the purposes of the Order of 1906 or of this Act:

- (3) In providing (if the Middlesex Council think fit) a reserve fund by setting aside from time to time such money as they think reasonable and investing the same and the income thereof in securities in which they are by this Act authorised to invest sinking funds until the fund so formed amounts to a sum of five thousand pounds which fund shall be applicable to answer any deficiency at any time happening in the income of the Middlesex Council from the Middlesex undertaking or to meet any extraordinary claim demand or liability at any time arising against or upon the Middlesex Council in respect thereof and so that if the fund is at any time reduced it may thereafter be again restored to the said sum and so from time to time as often as such reduction happens:

- (4) In payment by the Middlesex Council of any other expenses properly incurred by them in the execution of the Order of 1906 or of this Act including payments of such reasonable provision (if any) as the Middlesex Council may think fit to make for future renewals of works and of plant originally paid for out of capital under this Act into a depreciation fund to be invested with any income thereof in securities by this Act authorised for sinking funds and to be applicable for such renewals. Provided the depreciation fund shall not be increased beyond a total amount reasonably necessary for the purposes thereof.

Any surplus income from the Middlesex undertaking in any year and the income of the reserve fund so long as that fund amounts to five thousand pounds shall be carried to the credit of the county fund.

**58.** All moneys arising from the disposal of lands acquired by the Middlesex Council for the purposes of the Order of 1906 and all other capital moneys received by them in respect of the Middlesex undertaking shall be applied by them so long as any



A.D. 1911. capital moneys borrowed by them for the purposes of the Order of 1906 or of this Act shall not have been repaid in the repayment of such moneys but shall not be applied in the payment of instalments or to payments into the sinking fund except to such extent and upon such terms as may be approved by the Local Government Board and thereafter shall be applied by the Middlesex Council as capital subject to the approval of that Board.

Agreements  
for working  
&c.

59. The Company on the one hand and the Walthamstow Council and any other authority company body or person owning or working any tramways or light railways which can be worked or used in connection with the tramways or with any existing or authorised tramways or light railways of the Company on the other hand may enter into and fulfil agreements with respect to the following purposes or any of them (that is to say):—

The leasing working running over management and maintenance of the respective undertakings of the contracting parties and the interchange of traffic between such undertakings:

The supply by the working party under and during the continuance of any such agreement as aforesaid for the working of the respective undertakings of the contracting parties of rolling stock and the supply of motive power necessary for the purposes of such agreement:

The fixing subject to the authorised maximum tolls and the collection payment appropriation and distribution of tolls on their respective undertakings:

Provided always that for the purpose of calculating the maximum fares rates and charges any tramways or light railways worked by the Company or any other tramway or light railway authority in pursuance of an agreement made under the authority of this section and any tramways or light railways connected therewith and worked by the authority so working as aforesaid shall during the continuance of such agreement be deemed to be one undertaking.

Reservation  
to owners of  
rights on  
purchase of  
lands.

60. The Company in exercising any powers for the purchase of lands for the purpose of making any approach to or works in connection with the new bridge or for the purpose of making any street or road widening under this Act may reserve to the vendors any rights of way or user or any other rights or ease-

ments over such lands or any part thereof which may be necessary or convenient in connection with the use and enjoyment by the vendors of other portions of the lands of which a part shall have been purchased by the Company: A.D. 1911.

Provided always that the powers conferred by this section shall not be exerciseable in respect of any lands in the urban district of Willesden without the consent in writing of the council of that district and the provisions of the section of this Act the marginal note whereof is "Consents of local or road authority" shall not apply to any such consent.

61. And whereas lands have been from time to time purchased or acquired by the Company but such lands are not immediately required for the purposes of the undertaking of the Company and it is expedient that further powers should be conferred upon the Company with respect to such lands Therefore notwithstanding anything contained in any Act relating to the Company the Company shall not be required to sell such lands but may retain hold or use or may lease or otherwise dispose of the same. Power to hold and lease lands.

62. Where the consent or approval of any local or road authority is by this Act required before the exercise of any powers by the Company such consent or approval shall not be unreasonably withheld and if any difference arises as to whether any consent or approval is unreasonably withheld that difference shall be referred to arbitration. Consents of local or road authority.

63.—(1) The Postmaster-General may in any street or public road or part of a street or public road in which he is authorised to place a telegraph use for the support of such telegraph any posts and standards (with the brackets connected therewith) erected in any such street or public road by the Company in connection with the railways authorised by the Order of 1906 (in this section referred to as "the railways") and may lengthen adapt alter and replace such posts standards and brackets for the purpose of supporting any telegraph and from time to time may alter any telegraph so supported subject to the following conditions:— As to use of posts in connection with railways authorised by Order of 1906 by Postmaster-General.

(A) In placing maintaining or altering such telegraph no obstruction shall be caused to the traffic along or the working or user of the railways:

(B) The Postmaster-General shall give to the Company not less than twenty-eight days' notice in writing



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(K) If it should become necessary or expedient to alter the position of or remove any post standard or bracket the Postmaster-General shall upon receiving twenty-eight days' notice thereof at his own expense alter or remove the telegraph supported thereby or at his option retain the post standard or bracket and pay the Company the value of the same. Provided that if the Company or the road authority object to the retention of the post standard or bracket by the Postmaster-General a difference shall be deemed to have arisen and shall be determined as hereinafter provided.

(2) Nothing in this section contained shall prevent the Company from using their posts standards or brackets for the support of any of their electric wires and apparatus in connection with the railways or shall take away any existing right of the local authority of using the posts standards or brackets in connection with the lighting of the streets or otherwise. Provided that any difference between the Postmaster-General and the local authority in relation to the use of the posts standards or brackets by the Postmaster-General and the local authority respectively shall be determined as hereinafter provided.

(3) Any difference arising under this section shall be determined in manner provided by sections 4 and 5 of the Telegraph Act 1878 for the settlement of differences relating to a street or public road.

(4) In this section—

The expression "the Company" includes their lessees;

The expression "telegraph" has the same meaning as in the Telegraph Act 1869;

Other expressions have the same meaning as in the Telegraph Act 1878.

Saving of powers of Commissioner of Police.

64. Nothing in this Act shall be held to restrict or interfere with the exercise by the Commissioner of Police of the Metropolis of the powers conferred on him by the Acts relating to public carriages in the metropolitan police district.

Copy of Act to be registered.

65. The Company shall deliver to the Registrar of Joint Stock Companies a printed copy of this Act and he shall retain and register the same and if such copy is not so delivered within

three months from the passing of this Act the Company shall incur a penalty not exceeding two pounds for every day after the expiration of those three months during which the default continues and any director or manager of the Company who knowingly and wilfully authorises such default shall incur the like penalty. Every penalty under this section shall be recoverable summarily.

There shall be paid to the registrar by the Company on such copy being registered the like fee as is for the time being payable under the Companies (Consolidation) Act 1908 on registration of any document other than the memorandum or the abstract required to be filed with the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up in England.

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

Provision as to general Tramway Acts.

67. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

Costs of Act.



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The SCHEDULES referred to in the foregoing Act.

FIRST SCHEDULE.

PROPERTIES OF WHICH PARTS ONLY MAY BE TAKEN.

Parish or other Area.	Numbers on deposited Plans.
Parish and urban district of Walthamstow -	2.
Parish and urban district of Tottenham -	5 to 44 (both inclusive).
	47 to 65 ( " )
	67 to 91 ( " )
Parish and urban district of Enfield -	5 to 9 ( " )
Parish and urban district of Willesden -	3 to 7 ( " ) 9 and 10.
Parish and metropolitan borough of Hampstead	1.
Parish and urban district of Hendon -	2 to 15 (both inclusive) 18 and 21.

SECOND SCHEDULE.

Stamp.

Six  
pounds  
fifteen  
shillings.

AN AGREEMENT made the twenty-eighth day of April 1911 between the METROPOLITAN ELECTRIC TRAMWAYS LIMITED (hereinafter referred to as "the Company") of the first part the COUNTY COUNCIL OF THE ADMINISTRATIVE COUNTY OF ESSEX (hereinafter referred to as "the Essex Council") of the second part and the URBAN DISTRICT COUNCIL OF WALTHAMSTOW in the county of Essex (hereinafter referred to as "the Walthamstow Council") of the third part.

WHEREAS the Company are the owners of an extensive system of tramways and light railways extending over a large part of the county of Middlesex and one of such tramways runs along the High Road in the urban district of Tottenham in the said county:

And whereas the boundary between the urban district of Tottenham on the south-eastern side thereof and the urban district of Walthamstow is co-terminous with the north-western bank of the Old River Lee and

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the means of communication between the said two districts over the said river is provided by a county bridge belonging to and maintained by the Essex Council and connecting a main road known as "Ferry Lane" in the former district with a main road known as "Forest Road" in the latter district:

And whereas the Walthamstow Council are the owners of a system of light railways situate in the urban districts of Walthamstow Leyton and Chingford one of which light railways is constructed along the said Forest Road and extends almost to the south-eastern bank of the said river and near to the said county bridge:

And whereas it is desired that the said system of tramways and light railways of the Company and the said light railway in the said Forest Road of the Walthamstow Council shall be connected by means of an extension of the Company's tramways commencing by a junction with their said tramway in the said High Road at Tottenham and terminating at the boundary of the said urban districts of Tottenham and Walthamstow and by an extension of the light railways of the Walthamstow Council from such boundary to the before-mentioned termination of the light railway of the Walthamstow Council in Forest Road:

And whereas such extension of the Company's tramways is proposed to be provided by the Company under the powers conferred upon them by the Tottenham Walthamstow Light Railways Order 1906 for and with respect to the construction of Railways Nos. 3 3A 3B 4 and 4A in section 4 of the said Order described and under the powers sought to be obtained by the Company under a Bill to be intituled "The Metropolitan Electric Tramways Act 1911" (hereinafter referred to as "the Bill") which the Company are promoting in the present session of Parliament for (inter alia) an extension of the period allowed by the said Order as extended by the Board of Trade for completion of such light railways and with respect to the new bridge and works in Part II. of the said Bill contained:

And whereas such extension of the light railways of the Walthamstow Council is proposed to be provided by the Walthamstow Council under the powers intended to be applied for to the Light Railway Commissioners as hereinafter mentioned:

And whereas for and in connection with the purposes aforesaid it has been agreed by and between the parties to this agreement as hereinafter provided:

Now it is hereby agreed between the parties hereto as follows:—

1. The Company shall so soon as reasonably possible after the passing of the Bill but in any event not later than twelve months



A.D. 1911, after the passing thereof at their own expense acquire in fee simple all lands necessary to enable the before-mentioned Ferry Lane to be widened and diverted (and as so widened and diverted in the Bill and hereinafter called "the new road") and the approaches on the Tottenham side of the Old River Lee to the said bridge (which bridge is in the Bill and hereinafter called "the new bridge") to be constructed as shown on the plan signed by Stephen Sellon on behalf of the Company and Percy John Sheldon on behalf of the Essex Council and by George William Holmes on behalf of the Walthamstow Council and within the same period shall convey to the Essex Council in fee simple so much of the said lands as shall be necessary to enable the new bridge to be constructed as also shown on the said plan.

2. The Company on the date when the said lands shall be conveyed by them to the Essex Council shall pay to the Essex Council the sum of four thousand pounds (£4,000) provided that if when and after the new bridge shall have been constructed by the Essex Council as hereinafter provided the cost of the works carried out by the Essex Council as specified in clause 4 hereof shall be found to be less than eight thousand pounds (£8,000) the Essex Council shall repay to the Company the amount of the difference between one-half of such cost and the said sum of four thousand pounds (£4,000).

3. In the month of May or November whichever shall next follow the payment by the Company of the said sum of £4,000 the Walthamstow Council shall make an application to and use their best endeavours to obtain from the Light Railway Commissioners an Order either for a revival of powers or for new powers as they may be advised to construct a light railway wholly situate in the parish and urban district of Walthamstow commencing on the western approach to the new bridge at the boundary between the urban districts of Tottenham and Walthamstow by a junction with Railway No. 3 authorised by the Tottenham Walthamstow Light Railways Order 1906 at its termination passing thence in a south-easterly direction across the new bridge and terminating in Forest Road by a junction with the existing light railway of the Walthamstow Council at its termination near the Ferry Boat public-house and the Essex Council and the Company shall at the request and cost of the Walthamstow Council take any steps that may be thought by the Walthamstow Council necessary to show their concurrence in such application.

4. The Essex Council within six months from the conveyance of the said lands and payment of the said sum to them as hereinbefore provided shall at their own expense commence and thereafter with all due diligence proceed to construct and complete the new bridge as a

steel girder bridge at least forty feet in width in accordance with plans to be submitted to approved and signed on the execution of these presents by Stephen Sellon on behalf of the Company and Percy John Sheldon on behalf of the Essex Council and George William Holmes on behalf of the Walthamstow Council (or in such other way as shall be agreed between the said parties) subject always to and in accordance with the provisions of the said Bill as approved by Parliament and in connection with and as part of such construction shall provide for the diversion and reconstruction to the boundary of the districts of Tottenham and Walthamstow of any water gas or other mains now laid across or attached to the existing bridge or which may be interfered with by the construction of the new bridge Provided that in case the parties to these presents so agree a ferro-concrete or other form of bridge may be constructed in lieu of a steel girder bridge The construction of the said bridge shall be carried out to the reasonable satisfaction of the engineer of the Walthamstow Council and in accordance with the said plans and with detailed drawings and specifications to be previously submitted to and approved by him but in case any dispute or difference shall arise thereon between the Essex Council and the Walthamstow Council such matter in difference shall be referred to Mr. Percy Boulnois civil engineer or failing him an engineer to be nominated by the President for the time being of the Institution of Civil Engineers whose award shall be final and the provisions of the Arbitration Act 1889 shall apply to such arbitration Provided also that so much of the surface and foundations of the roadway over the new bridge as shall lie between the rails of the light railway proposed to be constructed thereover and as shall extend eighteen inches beyond such rails on either side thereof shall be constructed by the Walthamstow Council at their own expense in accordance with the provisions of the said Order and the remaining portion of such roadway shall be paved by the Essex Council with similar material to that used by the Walthamstow Council for the remainder of the roadway over the new bridge.

5. Within one month after the new bridge and approaches and the new road have been constructed and completed ready for use and during the construction of the said Railways Nos. 3 3A 3B 4 and 4A authorised by the Tottenham Walthamstow Light Railways Order 1906 the Walthamstow Council shall (provided the said Order shall then have been confirmed by the Board of Trade) construct and complete ready for use the said light railway over the new bridge so that the whole of the said light railways shall so far as possible be completed ready for use at the same time.

6. Immediately after the Essex Council shall have completed the construction of the new bridge as hereinbefore provided the Company



A.D. 1911. shall at their own expense complete the new road and the approach to the new bridge on the Tottenham side thereof and shall provide for and carry out the necessary continuation on the Tottenham side of all mains which shall have been diverted by the Essex Council in connection with the construction of the new bridge and the Essex Council and the Walthamstow Council shall complete the before-mentioned portion of the roadway over the new bridge and the approach on the Walthamstow side and thereupon but not before the Company shall be entitled to put into operation the provisions of the clause of the Bill of which the marginal note is "Stopping up part of Ferry Lane and Forest Road" but the Company shall not be entitled to appropriate or use for the purposes of their undertaking so much of the site of the portion of the said Forest Road stopped up by them under the provisions of the said clause of the Bill (and the said clause shall be altered accordingly) as shall be situate within the district of Walthamstow.

7. The Company shall forthwith after the completion of the new road and the new bridge and approaches take all such steps as may be necessary to enable the last-mentioned provisions of the Bill to be put into operation and within three months thereafter shall put in force such provisions and take down and remove the existing bridge and the Company shall also make provide and pay any compensation to be made and paid under the said provisions.

8. The clause of the Bill of which the marginal note is "Agreements with Essex Council and other authorities" shall be deleted from the Bill and the clause of the Bill of which the marginal note is "Agreements with Essex Council as to construction &c. of new bridge" shall be altered so as to provide for the confirmation by Parliament of this agreement and the clause of the said Bill of which the marginal note is "New bridge to be a county bridge" shall be altered to provide as follows:—

"So soon as the rights of way over Ferry Lane and Forest Road shall be stopped up and extinguished as provided in the section of this Act of which the marginal note is 'Stopping up part of Ferry Lane and Forest Road' and the existing bridge carrying Forest Road over the river Lea removed by the Company as in this Act provided the new bridge shall become and be a county bridge vested in the Essex Council and be maintained by them accordingly subject always to the obligation of the Walthamstow Council if and so long as a light railway shall be constructed and used by them thereover to maintain and repair so much of the roadway over such bridge as shall lie between the rails of such light railway, and as shall extend for eighteen inches beyond such rails on either side thereof."

A.D. 1911. Tramway No. 1 shall be deleted from the Bill. In the clause of the Bill of which the marginal note is "Extension of time for construction of light railways authorised by Order of 1906" the words "eighteen months" shall be substituted for the words "three years." The provisions of the Bill relating to the Middlesex County Council shall be altered so as to exclude their application to any of the light railways for the time being in the urban district of Walthamstow.

9. The Walthamstow Council shall pay to the Essex Council an amount equal to one third of the difference between the cost of the construction by the Essex Council of the new bridge in accordance with the provisions of this agreement and the works connected therewith as specified in clause 4 hereof and the net sum payable by and to be received from the Company in respect thereof in accordance with such provisions and the said amount as to one thousand pounds (£1,000) shall be paid upon the execution by the Essex Council of a contract for the construction of the new bridge and as to the balance upon the certificate by the chief surveyor of the Essex Council of the due completion of the work under such contract.

10. Any expenses incurred by the Walthamstow Council under this agreement shall be deemed to be expenses incurred by them under and for the purposes of the Light Railways Act 1896.

11. The Company shall take all necessary steps and do all necessary acts and things to secure the passing by Parliament of the Bill amended in accordance with the provisions of this agreement and the Essex Council and the Walthamstow Council respectively shall at the request and expense of the Company render any assistance in their power for this purpose.

12. This agreement is made subject to such alterations as Parliament may think fit to make therein but in the event of either House making any material alteration therein any or either of the parties hereto may withdraw from the agreement.

In witness whereof the Company the Essex Council and the Walthamstow Council have caused their respective common seals to be hereunto affixed the day and year first above written.

The common seal of the Metropolitan Electric Tram-  
ways Limited was hereunto affixed in the presence of }

C. G. TEGETMEIER }  
JAMES DEVONSHIRE } Directors.  
A. L. BARBER Secretary.

D

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L.S.



[Ch. xciii.] *Metropolitan Electric Tramways* [1 & 2 GEO. 5.]  
*Act, 1911.*

A.D. 1911. The common seal of the said county council of Essex }  
— was hereunto affixed in pursuance of a resolution of }  
the said county council and in the presence of }

L.S.

W. W. GLENNY Keeper of the key of the seal.

JOHN GOOLD Clerk of the Council.

The common seal of the Walthamstow Urban District }  
Council was hereunto affixed by order of the said }  
Council in the presence of }

L.S.

CHARLES H. POLLARD Chairman.

C. SYDNEY WATSON Clerk.

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FOR

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1874. August 1st. Tuesday. 1874. 1874.

The first of August was a fine day. The weather was clear and warm. We went for a walk in the park. The children were very happy. We saw many beautiful flowers. The children played for hours. We had a picnic under a big tree. The food was very good. We all enjoyed it very much. The day was very pleasant. We went home in the evening. The children were tired but happy. We had a good night's sleep. The next day was also very fine. We went to the beach. The children played in the sand. We saw many seagulls. The water was very clear. We had a picnic on the beach. The day was very pleasant. We went home in the evening. The children were tired but happy. We had a good night's sleep.





