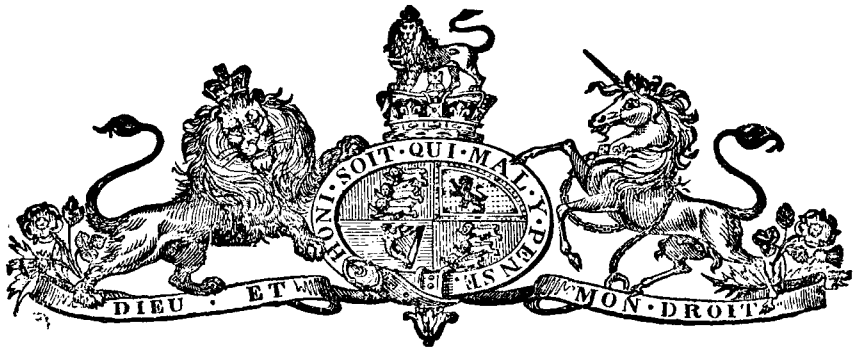


ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

****

CAP. XCIII.

An Act for embanking the North Side of the River *Thames* from *Westminster Bridge* to *Blackfriars Bridge*, and for making new Streets in and near thereto. [7th *August* 1862.]

WHEREAS by "The *London* Coal and Wine Duties Continuance Act, 1861," after reciting that by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, Chapter Ten, intituled *An Act for the Relief of the Orphans and other Creditors of the City of* London, it was enacted (amongst other things) that, towards raising a Fund as therein mentioned, a Duty of Four Shillings *per* Tun should be imposed upon all Sorts of Wines whatsoever which from and after the Fourth Day of *June* One thousand six hundred and ninety-four should be imported into the Port of the City of *London*, or the Members thereof, by way of Merchandise, over and above the then present Duties charged or chargeable thereupon, and so proportionably for a greater or lesser Quantity, which said Duty should from Time to Time for ever be paid by the Importer thereof unto the Mayor, Commonalty, and Citizens of the City of *London* (herein-after called "the Corporation of *London*"); and reciting, that by the Acts therein-after mentioned, and therein-after referred to as 24 & 25 Vict. c. 42.

as the Coal Duties Acts, or some or One of such Acts, Two several Duties of One Penny and Twelvepence *per* Ton were authorized to be levied by the Corporation of *London* upon all Coals, Culm, and Cinders brought to any Place within the Port of *London* or within the Cities of *London* and *Westminster* and the Borough of *Southwark*, or to any Place within the Distance of Twenty Miles from the General Post Office in the City of *London*, by any Railway already constructed or thereafter to be constructed, or by Inland Navigation, or by any other Means of Conveyance, it was enacted (amongst other things), that the above-mentioned Duty of Four Shillings a Tun on Wines should continue and be levied in all respects in the same Manner as the same was then leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two; and that all Duties authorized by the said Coal Duties Acts or any of them to be levied upon Coal, Culm, and Cinders should continue and be levied in the same Manner in which the same were then leviable until the Fifth Day of *July* One thousand eight hundred and seventy-two, subject to the following Qualification, that, notwithstanding anything contained in the said Acts, no Duties should be payable in respect of any Coal, Culm, or Cinders unless the same was contained in some Ship or Vessel arriving at her Moorings within some Part of the Port of *London* to the Westward of *Gravesend*, within the Limits of the Metropolitan Police District as defined by Act of Parliament, or be brought by Railway or by Inland Navigation or by some other Mode of Conveyance within the said Limits of the Metropolitan Police District, including the Cities of *London* and *Westminster*; and it was further enacted, that the Duty of One Penny *per* Ton on Coals, Culm, and Cinders should, from and after the passing of the Act now in recital, and the said Duty of Four Shillings *per* Tun on Wines, and the Duty of Eightpence, Part of the said Duty of Twelvepence on Coals, Culm, and Cinders, should, from and after such Time as all Charges on the *London Bridge* Approaches Fund might be satisfied, be paid to an Account to be opened in the Name of the Lords Commissioners of Her Majesty's Treasury at the Bank of *England*, to be intituled "The *Thames* Embankment and Metropolis Improvement Fund," and such Fund should be applied to the Improvement of the Metropolis in such Manner as might thereafter be determined by Parliament; and it was further enacted, that the Monies from Time to Time paid to the Account created by the Act now in recital should, when received, be laid out and invested in the Purchase of Stock in some of the Public Stocks or Funds or upon Government or Real Securities at Interest in the Name of the said Commissioners, and that the said Commissioners should from Time to Time lay out or invest the yearly Dividends or Interest of the Stocks, Funds, and Securities so to be purchased in their

their Names on the Account aforesaid in like Manner for the Purpose of Accumulation in the meantime until the said Fund was appropriated by Parliament to the Execution of Improvements in the Metropolis; and it was further enacted, that all Monies, Stocks, Funds, and Securities standing to the Account of the Metropolis Improvement Fund Account created by the Act of the Session of the Eighth and Ninth Years of the Reign of Her Majesty, Chapter One hundred and one, should, from and after the passing of the Act now in recital, and all Monies, Stocks, Funds, and Securities standing to the Account of the *London Bridge* Approaches Fund should, from and after such Time as all Charges on the said Funds might be satisfied, be carried to and form Part of the *Thames* Embankment and Metropolis Improvement Fund created by the Act now in recital, and the said *London Bridge* Approaches Fund should thereupon cease and determine: And whereas all Monies, Stocks, Funds, and Securities standing to the Account of the *London Bridge* Approaches Fund have, with the Consent of the Corporation of the City of *London*, been carried over to the said *Thames* Embankment and Metropolis Improvement Fund upon the Understanding that the Charges on the said *London Bridge* Approaches should be duly discharged out of the said *Thames* Embankment and Metropolis Improvement Fund: And whereas it is expedient to set apart for meeting the aforesaid Charges such Sum as the Commissioners of Her Majesty's Treasury may think sufficient: And whereas on the Twenty-third Day of *February* in the Year One thousand eight hundred and sixty-one Her Majesty issued a Commission, addressed to the Right Honourable the Lord Mayor of the City of *London*, Major General Sir *Joshua Jebb* K.C.B., *John Thwaites* Esquire, Chairman of the Metropolitan Board of Works, Captain *Douglas Galton* of the Royal Engineers, *Edward Burstall* Esquire, Commander in Her Majesty's Navy, *Henry Arthur Hunt* Esquire, Surveyor of Her Majesty's Works and Public Buildings, and *John Robinson M'Clean* Esquire (to which Commission *Henry Kingscote* was Secretary), to examine into Plans for embanking the River *Thames* within the Metropolis, so as to provide with the greatest Efficiency and Economy for the Relief of the most crowded Streets by the Establishment of a new and spacious Thoroughfare for the Improvement of the Navigation of the River, and which would afford an Opportunity of making the Low-level Sewer without disturbing the *Strand* or *Fleet Street*, and also to report upon the Cost and Means of carrying the same into execution: And whereas the Commissioners acting under the recited Commission, by their Report to Her Majesty dated the Twenty-second Day of *July* One thousand eight hundred and sixty-one (and which has been presented to both Houses of Parliament by Command of Her Majesty), have recommended that the several Improvements and Works herein-after specified should be executed and effected:

And

And whereas by an Act of the Session holden in the Twentieth and Twenty-first Years of Her Majesty, Chapter One hundred and forty-seven, all the Estate, Right, Title, and Interest of the Corporation of *London* in the Bed and Soil and Shores of the River *Thames* from *Staines* to *Yantlete*, and all the Estate, Right, Title, and Interest to which Her Majesty was on the Twenty-third Day of *February* One thousand eight hundred and fifty-seven entitled in right of Her Crown of, in, and to the Bed and Soil and Shores of the said River, within the Flux and Reflux of the Tides, bounded Eastward as in the Act now in recital is mentioned, and of, in, and to all Encroachments, Embankments, and Inclosures therefrom or thereupon, except such Parts thereof as in the same Act are specified, were vested in the Conservators of the River *Thames*, a Corporation by the same Act constituted: And whereas by an Act of the Session holden in the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and four, it was enacted, that the Metropolitan Board of Works should cause to be commenced, as soon as might be after the passing thereof, the necessary Sewers and Works for the Improvement of the Main Drainage of the Metropolis, and for preventing the Sewage of the Metropolis from passing into the River *Thames* within the Metropolis, and that for the Purposes of the Act now in recital the said Board might construct any Work through, along, over, or under the Bed and Soil and Banks and Shores of the River *Thames*, making Compensation as therein mentioned: And whereas it is expedient that the Metropolitan Board of Works should be empowered to form the Embankment and new Streets, and to execute, effect, and maintain the other Improvements and Works herein-after specified; and for the Purpose of providing a Fund to enable such Board to effect the Objects aforesaid it is expedient that the Commissioners of Her Majesty's Treasury should be authorized, out of or by Charge upon the *Thames* Embankment and Metropolis Improvement Fund aforesaid, to raise and provide such Sum or Sums as may from Time to Time be necessary for those Purposes; and that every such Sum, when so raised or provided, should be paid over to the said Board for the Purposes of this Act: And whereas the Objects of this Act 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 Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

8 & 9 Vict. c. 18. (except ss. 34 and 92.) and 23 & 24 Vict. c. 106. incorporated

1. "The Lands Clauses Consolidation Act, 1845," (except the Sections Thirty-four and Ninety-two,) and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, so far as the Provisions of such Acts respectively are not expressly varied by or excepted from this Act, be incorporated with and form Part of this Act;

Act; and the Metropolitan Board of Works shall be taken to be the Persons in such first-mentioned Act intended by the Words "Promoters of the Undertaking." with this Act.

2. This Act may for all Purposes be cited as "The *Thames* Embankment Act, 1862." Short Title.

3. The following Words and Expressions in this Act have for the Purposes of this Act the following Meanings, unless excluded by the Subject or Context; (to wit,) Interpretation of Terms.

"The Board" means the Metropolitan Board of Works constituted by and acting under the Statute, Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, for the better Local Management of the Metropolis:

"The Treasury" means the Commissioners of Her Majesty's Treasury:

"The Admiralty" means the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral:

"The Conservators" means the Conservators of the River *Thames*:

"The herein-before recited Act" means "The *London* Coal and Wine Duties Continuance Act, 1861:"

"The *Thames* Embankment and Metropolis Improvement Fund" shall mean and include the Stocks, Funds, and Securities from Time to Time constituting the Fund so intituled in the herein-before recited Act, and thereby so made applicable to Improvements in the Metropolis as aforesaid, and the Duties, Income, and Monies in and by the same Act made applicable to the Formation of such Fund:

The Word "Justice" shall, in relation to any Lands or to the Purchase or taking by the Board of any Lands situated within the City of *London* or the Liberties thereof, mean the Lord Mayor or any Alderman or the Recorder of the City of *London*, and shall, in relation to any Lands or to the Purchase or taking by the Board of any Lands situated not within the City of *London* or the Liberties thereof, but within the County of *Middlesex*, mean a Justice of the Peace acting in or for the County of *Middlesex*:

The Word "Sheriff" in "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, with respect to this Act, so far as the same affects the Works and Improvements authorized by this Act which shall be within the City and Liberty of *Westminster*, mean the High Bailiff of *Westminster* in all Cases where the High Bailiff discharges the Duties and Offices usually discharged by the Sheriff:

The Word "Street" shall include any Square, Street, Highway, Road, Lane, Footway, Thoroughfare, or public Place, Court, Alley, or Passage, whether a Thoroughfare or not, and a Part of any such Square, Street, Highway, Road, Lane, Footway, Thoroughfare, or public Place, Court, Alley, or Passage.

Same Meaning to Words in incorporated Act as in this Act.

4. The several Words and Expressions to which by the said "Lands Clauses Consolidation Act, 1845," Meanings are assigned, have in this Act the same respective Meanings, unless excluded by the Subject or Context: Provided always, that for the Purposes of this Act the Expression "the Superior Courts" therein includes all Courts of competent Jurisdiction, and the Word "Lands" therein also includes Easements, Interests, Rights, and Privileges in, over, or affecting Lands.

Plans deposited at the Offices of the Clerks of the Peace to remain there and be open to Inspection.

5. Whereas Plans and Sections of the Works and Improvements by this Act authorized describing the proposed Situation of the same and the Lines and Levels thereof and the Lands intended to be taken for the Purposes thereof respectively, and also Books of Reference to the said Plans containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Lands which may be required for the Purposes of this Act, have been deposited at the Offices of the Clerk of the Peace for the City of *London*, the Clerk of the Peace for the County of *Middlesex*, and the Clerk of the Peace for the City and Liberty of *Westminster* respectively: Such Plans and Sections and Books of Reference shall remain in the said Offices, to the end that all Persons may at all reasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Power to make Works according to deposited Plans.

6. Subject to the Provisions and for the Purposes of this Act, it shall be lawful for the Board to make the Improvements and Works by this Act authorized in the Situations and Lines and according to the Levels, and within the Limits of Deviation (qualified as herein-after mentioned), and upon the Lands delineated on the said Plans and Sections and described or mentioned in the said Books of Reference, and otherwise to carry this Act into operation: Provided always, that nothing herein contained shall authorize or empower the Construction of any Part of that Portion of the Embankment or Viaduct delineated on the said Plans which lies between *Blackfriars Bridge* and that Point of the Embankment or Viaduct where it turns off towards *Chatham Place*.

Board to appoint Committee to

7. It shall be lawful for the Board from Time to Time to appoint a Committee to manage and transact all or any of the Matters or

Purposes

Purposes which the Board are hereby empowered to do, execute, or perform, which Committee shall have so much or so many of the Powers, Authorities, and Discretions by this Act given to and reposed in the Board as the Board shall think fit or proper to delegate to such Committee. carry the Act into execution.

8. The Improvements and Works by this Act authorized comprise the following; (to wit,) Works authorized.

1. The making and maintaining an Embankment and Viaduct on the Left Bank of the River *Thames*, with all necessary and convenient Walls, Piers, Arches, Culverts, Drains, Quays, Wharves, Barge Beds, Basins, Landing Places, Stairs, Waterways, Approaches, and other Conveniences and Works, such Embankment to commence at the Northern Side of the *Middlesex* End of *Westminster Bridge*, and to terminate at or near the Eastern Boundary of the *Inner Temple*, and such Viaduct to commence at the Eastern Boundary of the *Inner Temple* and to terminate near to the Western Side of the Northern End of *Blackfriars Bridge*; the said Embankment and Viaduct respectively to be constructed in whole or in the greater Part upon the Bed or Foreshore of the River *Thames*, and the Site of which Embankment and Viaduct will be within the Parishes, Liberties, Extra-parochial and other Places following, or some of them; (that is to say,) *Saint Margaret Westminster*, *Saint Martin in the Fields*, *Saint Clement Dane*, *Saint Mary le Strand*, *Saint John the Baptist*, and the *Savoy* or Precinct of the *Savoy*, all in the County of *Middlesex*, and the *Middle Temple* and the *Inner Temple*, the Precinct of *Whitefriars*, *Saint Bridget* otherwise *Saint Bride*, the Precinct of *Bridewell*, and the Parish or Precinct of *Saint Ann Blackfriars*, all in the City of *London* or County of *Middlesex*:
2. The making upon the said Embankment and Viaduct a public Roadway One hundred Feet wide up to the Eastern Boundary of the *Inner Temple*, and not less than Seventy Feet wide thence to *Chatham Place*, with all necessary Approaches to the said Roadway:
3. The making of an Approach Road of an uniform Width of not less than Forty Feet, and on a Gradient not steeper in any Part thereof than One in Thirty, leading from and out of such Embankment Roadway, and communicating by means of Approaches with each of the Streets following; namely, *Surrey Street*, *Norfolk Street*, and *Arundel Street*; and which last-mentioned Approach Road and Approaches will be in the Parish of *Saint Clement Dane* in the City of *Westminster*, each of which Approaches shall be formed on a Gradient not steeper

steeper in any Part thereof than One in Thirty, and of a Width not less than the Width of the Street with which the same shall so communicate as aforesaid:

4. The making a new Street which shall commence from and out of the said Embankment and Roadway at or near the East Side of the *Middlesex* End of *Hungerford Bridge* in the Parish of *Saint Martin in the Fields*, and shall pass on, over, and through divers Streets, Wharves, Lands, and Places in the Parishes of *Saint Martin in the Fields*, *Saint Clement Dane*, and the Precinct of the *Savoy*, and shall terminate in *Wellington Street*, *Waterloo Bridge*, in the Precinct of the *Savoy*, opposite to the Northern Wing of the Western Front of *Somerset House*, with all necessary Approaches to such new Street; and also several short Streets or Communications, each to commence from and out of such last-mentioned new Street, and respectively to communicate with and terminate in *Villiers Street* and *Buckingham Street* in the Parish of *Saint Martin in the Fields*, and *Cecil Street* in the Parishes of *Saint Martin in the Fields* and *Saint Clement Dane*, or One of them:
5. The making a new Street which shall commence by a Junction with the intended new Street fourthly herein described at or near to *George Street* in the *Adelphi*, and shall terminate in and by a Junction with *Whitehall Place* at the East End thereof, all in the Parish of *Saint Martin in the Fields*:
6. The making a new Street which shall commence from and out of the said Embankment and Roadway at or near a Place called *Whitehall Stairs*, and shall pass thence through *Whitehall Yard*, and shall terminate in the Street known as *Whitehall*, opposite to the *Horse Guards*, all in the Parishes of *Saint Margaret Westminster* and *Saint Martin in the Fields*:
7. The reclaiming and inclosing all or so much of the Bed or Foreshore of the River *Thames* as shall lie between the present Left Bank of such River and the said intended Embankment.

Certain Land not to be taken without Consent.

9. Nothing herein contained shall authorize the Board to enter upon, take, or use the Lands numbered on the deposited Plans 45, 45[a], 45[b], and 45[c], or any Part thereof respectively, in the Parish of *St. Margaret's Westminster*, without the Consent of the Owners, Lessees, and Occupiers for the Time being of the same respectively.

Provision for further Works.

10. The Provisions of this Act, and the Powers and Appropriation herein contained with reference to the *Thames* Embankment and Metropolis Improvement Fund, shall apply to all such further Works for extending the Embankment of the *Thames* and relieving the Thoroughfares

Thoroughfares of the Metropolis in connexion with the present and any future Embankment as may hereafter be authorized by Parliament, as if such Works were specifically authorized by the present Act.

Power to set out Footways, &c.

11. Save as herein otherwise expressly provided, it shall be lawful for the Board to cause such Part of the said Roadway and of the said Ground so to be inclosed as aforesaid, and of the said Streets respectively, to be laid out for Carriageways, and such Part thereof for Foot Passengers, as they shall think proper.

Power to deviate.

12. In carrying the said Works and Improvements into execution it shall be lawful for the Board, save as herein otherwise expressly provided, to deviate to any Extent not exceeding Five Feet from the Levels defined in the said Sections, and the Board shall not deviate beyond the Limits of Deviation delineated in the said Plans without Consent of the Person through whose Lands such Deviation shall be made, nor carry the Line of the Embankment Wall, as shown on the said Plans, further into the Stream of the said River than Three Feet, without the Consent of the Conservators, signified in Writing under the Hand of their Secretary.

Powers for compulsory Purchases limited.

13. The Powers of the Board for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Five Years from the passing of this Act.

Power to inclose and fill up Bed and Shore of River, to remove Stairs, &c.

14. In and for the Purpose of effecting the Embankment, Viaduct, or other Works, and the reclaiming of Land hereby respectively authorized, it shall be lawful for the Board to inclose and fill up the Bed and Shore of the River *Thames* as shown in the said deposited Plans, and also such further Parts thereof as shall be required by the Board for constructing any Barge Beds, Recesses, Stairs, Piers, Landing Places, Hards, or other Works in pursuance of the Powers in that Behalf herein contained; and also to remove, destroy, alter, divert, stop up, or inclose such Streets, Streams, Drains, Sewers, Watercourses, void Ground, Wharves, Jetties, Quays, Barge Beds, Stairs, Piers, Landing Places, Hards, Mooring Posts or Rings, Posts, Piles, and other Materials and Things, or such Part or Parts thereof respectively as shall in the Judgment of the Board be necessary to be removed, destroyed, altered, diverted, stopped up, or inclosed for the Purposes of this Act, making Compensation to all Persons having any Interest in any Wharves, Jetties, or other Property taken for or injuriously affected by such Works or other the Exercise of the Powers of this Act.

15. Save

Power to purchase Lands and extinguish Rights and Claims to Shore, &c.

15. Save as herein otherwise expressly provided, it shall be lawful for the Board to purchase any Lands, and to purchase and extinguish or procure the Extinguishment of any Rights, Interests, Easements, or Privileges which any Person may have, possess, or claim in, to, over, or in respect of the Bank or Shore or Bed of the River *Thames* lying within the Limits of Deviation defined on the said deposited Plans.

Soil may be raised from the River to form the Embankment by the Conservators.

16. For the Purpose of effecting or forming the said Embankment or any other the Works by this Act authorized, it shall be lawful for the Conservators, and they are hereby required, when and as often as and within a reasonable Time after they shall have been required by the Board so to do, to dig, raise, and take up from the Bed of the said River, in any Places they may think fit, whether above or below *London Bridge*, Gravel, Sand, Soil, or other Materials, and to lay and deposit the Gravel, Sand, and Soil and other Materials so raised in such Places as the Board shall from Time to Time designate and point out by Notice in Writing to be addressed to the Conservators, they the Board paying to the Conservators (and which the Board are hereby authorized to do) such Sums of Money as the Conservators shall have actually incurred and expended in and about such digging, raising, and taking up, and such laying and depositing as aforesaid: Provided always, that in case the Conservators shall refuse or neglect within Ten Days after they shall have been required by the Board so to do to proceed to dig, raise, and take up from the Bed of the said River such Gravel, Sand, Soil, or other Materials for the Purposes aforesaid, it shall be lawful for the Board to do the several Acts hereby required to be done by the Conservators for the Purposes aforesaid without being in anywise required to obtain the Consent of the Conservators: Provided always, that the dredging be done at such Places within the Limits of the Metropolis, as defined by the Metropolis Local Management Act, and to such Depths as the Conservators shall within Ten Days after Requisition define, and in default of such Definition then at any Places and at such Depths as the Board may think fit, and that all Gravel, Sand, Soil, or other Materials which shall be raised as aforesaid shall be wholly removed and taken away from the said River without screening or returning any Part thereof into the said River after the same shall have been so raised; provided also, and the Conservators are hereby required, at the Expense of the Board as aforesaid, to level all Holes and Pits that shall be dug or caused by any such Excavation or digging as aforesaid, and in all Places where they shall deepen the Bed of the said River to deepen the same uniformly: Provided always, that, notwithstanding anything contained in the Sixth and Seventh *Victoria*, Chapter Fifty-seven, the Conservators shall be entitled

entitled to be paid as aforesaid for the Cost of Materials so raised as well below as above *London Bridge*.

Board empowered to take Places for depositing Materials.

17. It shall be lawful for the Board to take on Lease or to agree for the Use and Occupation of proper Places on any Part of the North Bank of the said River between *Westminster Bridge* and *Blackfriars Bridge*, or within Five hundred Yards of the Site of the said intended Embankment, for the Purpose of depositing and working Stone, Iron, Timber, and other Materials for constructing and completing the said Embankment and Roadway.

Works, &c. to be approved of by the Admiralty.

18. No Works, other than those necessary for the Completion of the Works expressly authorized by this Act, upon the Bed or Shore of the River *Thames* below High-water Mark which may interfere with the Navigation of that River shall at any Time be commenced or executed under the Provisions of this Act without the same having been previously approved of by the Admiralty, such Approval to be from Time to Time specified in Writing under the Hand of the Secretary to the Admiralty.

Certain Works to be first approved by the Conservators.

19. The Stairs, Hards, Quays, Wharves, Barge Beds, Recesses, Approaches, Piers, Landing Places, and temporary Works by this Act authorized shall be made according to Plans and Elevations to be first approved by and deposited at the Office of the Conservators.

Lights to be exhibited at Night during Construction of Embankment.

20. During the Construction of the said Embankment and the Works connected therewith the Board shall cause to be hung out or exhibited every Night from Sunset to Sunrise good and sufficient Lights, to be kept burning by and at the Expense of the Board, for the Navigation and safe Guidance of Vessels, and which Lights shall be from Time to Time altered by the Board in such Manner, and be of such Description and Number, and be so used and placed, as the Conservators shall by Writing under the Hand of their Secretary approve of.

Piers and Stairs to be provided in lieu of those taken away.

21. Whenever the Board shall shut up, remove, or take away, or in any Manner obstruct the free Use and Enjoyment of any existing Piers, Public Stairs, or Landing Place now marked by the Watermen's Company, they shall cause some Pier, Public Stairs, or Landing Place to be erected or provided, to the Satisfaction of the Conservators, in the Stead of the Pier, Stairs, or Landing Place so shut up, removed, or taken away, or the free Use and Enjoyment of which may be obstructed; and every such substituted Pier shall, so soon as the same shall be completed, be and hereby is vested in the

the Conservators, and subject in their Hands to all the Powers and Provisions applicable thereto of "The *Thames* Conservancy Act, 1857."

Embankment to be kept in repair.

22. From and after the Completion of the Embankment and Viaduct by this Act authorized the Board shall, out of the Rates raised for defraying the Expenses of the Board under the Act Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, keep and maintain the same respectively and every Part thereof in proper Repair; and if the Embankment or Viaduct or any Portion thereof or any of the Works connected therewith be out of repair or insecure, so as to be dangerous to any Person passing along the River *Thames*, or to any Vessel either moored alongside of or passing by the same respectively, or be in any Manner injurious or likely to be injurious to the River *Thames* or to the free Navigation thereof, the Conservators may, by Notice in Writing to the Board, require them to repair the Embankment or Viaduct, or the Portion thereof or the Works connected therewith so out of repair or insecure as aforesaid, to the reasonable Satisfaction in all respects of the Surveyor from Time to Time of the Conservators, within a Time to be limited in such Notice; and in case the Board refuse or fail to repair the Embankment or Viaduct, or such Portion thereof, to the reasonable Satisfaction in all Respects of such Surveyor, within the Time to be limited as aforesaid, then and in every such Case the Conservators may repair the same respectively, and may recover the Expenses incurred thereby from the Board; provided that all the Parts of the Metropolis shall be deemed to be equally benefited by all Sums expended by the Board for such Maintenance and Repair as aforesaid.

Mode of ascertaining Value of Property to be taken under Act.

23. If the Owner, Lessee, or Occupier of any Lands authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or of his Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the Board or any Person authorized by them shall not think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the Premises shall assess and every Arbitrator shall ascertain the Value of the whole Premises, according to the Condition in which they were at the Time the Notice requiring to take the same was served, and also the Value of that Part of the Premises which will remain after the Board or the Persons authorized by them have taken away so much as they shall think necessary for the Purposes of this Act; and the Jury or Arbitrator having made these Two Valuations, the Difference

Difference between them shall be the Price to be paid by the Board for that Part for which they shall have Occasion.

Premises may be taken notwithstanding Errors in Book of Reference.

24. It shall be lawful for the Board to purchase, take, and use for the Purposes of this Act any of the Lands described in the said Plans deposited at the Office of the Clerk of the Peace for the City of *London*, and of the Clerk of the Peace for the County of *Middlesex*, and of the Clerk of the Peace for the City and Liberty of *Westminster*, as intended to be taken for the Purposes of this Act, although the same Lands, or the Names of the Owners or Occupiers thereof may happen to be erroneously stated in or omitted from the said Book of Reference, in case it shall appear to any Two Aldermen of the City of *London*, or, as the Case may require, to any Two Justices acting in or for the County of *Middlesex*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information: Provided always, that previously to submitting the Case to Two Aldermen or to Two Justices as aforesaid, Ten clear Days Notice shall be given to the Owners whose Lands shall be affected by such erroneous Statement or Omission in the said Book of Reference; provided also, that nothing in this Act contained shall authorize the Board to purchase, take, or use any Parish Church without the Consent of the Bishop of the Diocese.

Ground laid into the Streets, &c. to be used by the Public.

25. When the said Roadway and new Streets, and the Approaches to the same respectively, shall be made and paved in pursuance of this Act, all the Ground and Lands which shall be laid open into the said Roadway, or any of such new Streets, or the Approaches of the same respectively, shall form Part of such Roadway or new Street, as the Case may be, and shall, except as hereby otherwise expressly provided, be used by the Public accordingly; and the same Roadway, new Streets, and Approaches, and the sole Power, Authority, and Duty of paving, repairing, cleansing, lighting, and watching thereof respectively, and of rating the Lands and Hereditaments situate and being within the same, shall be under the Care, Management, Control, and Jurisdiction of the same Vestries, Board, District Boards, Commissioners, or Persons as the other Streets in the Wards, Districts, Parishes, or Places in which the same respectively shall be situate.

Reclaimed Land to be dedicated to the Use of the Public.

26. All the Land to be reclaimed from the River *Thames* on the South of the Streets fourthly and fifthly herein-before described, and not required for Streets or Roads, nor otherwise specifically appropriated by the Provisions of this Act, and lying between an imaginary Line drawn from the Eastern Boundary of the Houses on the East Side of *Cecil Street* to the Embankment Roadway on the East and

the Crown Lands on the West, and the Embankment Roadway on the South, together with the Lands to be reclaimed between the Southern Side of the Approach Road, shown on the Plan marked C. herein-after referred to, leading towards *Norfolk Street*, *Surrey Street*, and *Arundel Street*, shall for ever hereafter be vested in and maintained by the Board for the Use of the Public as Places of Recreation or Ornamental Ground, and the Expenses incident to such Maintenance shall be deemed to be Expenses of the Board in the Execution of the Act Eighteenth and Nineteenth *Victoria*, Chapter One hundred and twenty, and all the Parts of the Metropolis shall be deemed to be equally benefited by all Sums so expended by the Board.

Power to appropriate Land or Easements in respect of Loss of River Frontage.

27. Subject to the Provisions herein contained, it shall be lawful for the Board, by Agreement, to appropriate by way of Grant or Demise, either in perpetuity or for any Term of Years or other Period, and for or subject to a nominal or any other Consideration or Rent, any reclaimed Land, or any absolute or partial or qualified Licence or Right of User or Enjoyment, Right of Way, Right of Frontage, or other Right or Easement of, out of, over, upon, in connexion with, or in relation to any reclaimed Land, or any Wharf, Basin, Barge Bed, Recess, Slip, Hard, Stairs, Waterway, and Landing Place to be constructed or provided by the Board under the Powers of this Act, and the Approaches, Conveniences, and Works connected therewith, to any Owner of Lands now situated on the present Left Bank and River Frontage of the River *Thames*, in front whereof the said intended Embankment and Roadway shall pass as aforesaid, in consideration of, and in lieu in whole or in part of the Compensation which such Owner or Person may be entitled to claim for the Damage, if any, to be sustained by him by Loss of River Frontage or otherwise by reason of such Embankment and Roadway, or other the Exercise of any of the Powers of this Act.

No House to be erected in front of the Gardens of the Inner and Middle Temple.

28. No House or Building shall be erected upon any Part of the Lands to be acquired or reclaimed as aforesaid situated between the River *Thames* and the Gardens of the Societies of the *Inner* and *Middle Temple* respectively, other than any such Porters or Gardeners Lodges, Alcoves, or other Buildings of a like Nature, of only One Floor each, as are from Time to Time, whether before or after the passing of this Act, approved by the First Commissioner of Her Majesty's Works and Public Buildings, by Writing under his Hand.

As to the Roadway, &c.

29. Notwithstanding anything in this Act contained, the public Roadway herein-before mentioned shall, so far as the same passes Southward

Southward of the Gardens of the Societies of the *Inner* and *Middle Temples* respectively, be constructed on an Embankment, and all the Land reclaimed and enclosed from the River *Thames* lying in front of the present Southern Boundary of the *Inner* and the *Middle Temples*, except so much as is occupied by the Embankment and Road thereon, shall for ever hereafter be the exclusive Property, as to such Land Southward of the *Inner Temple*, of and be vested in the Trustees for the Society of the *Inner Temple*, and as to the Lands Southward of the *Middle Temple*, of and be vested in the Trustees for the Society of the *Middle Temple*, for an Estate in Fee Simple absolute in possession, to and upon the like Uses and Trusts as the Uses and Trusts to and upon which the Lands adjoining thereto of the Societies respectively are from Time to Time held; and such Lands, but not the Embankment or Road thereon, shall for all Parochial Purposes be within and Part of the Places called the *Inner Temple* and the *Middle Temple* respectively; and in order that so far as can be the Two Societies respectively and their respective Property and Rights shall be protected against being prejudicially affected by the Execution of this Act, the Board from Time to Time may and shall take all such Precautions, and make, execute, and do all such Matters and Things, in, upon, in connexion with, and near to the *Temple* Land, and fulfil all such Stipulations, as are before the passing of this Act specified, under the Hand of the First Commissioner of Her Majesty's Works and Public Buildings; and the said Societies of the *Inner Temple* and *Middle Temple* shall not claim any Damage or Compensation in respect of the Execution of the Powers of this Act.

connected with the Inner and Middle Temples.

30. The Board may and shall make for the Two Societies a Landing Place, with proper and sufficient Works and Conveniences connected therewith, in substitution for their present Landing Place at the End of *Middle Temple Lane*, and the same shall be used by the *Inner Temple* and the *Middle Temple*, and shall be held, enjoyed, and regulated by the Two Societies as their private Landing Place accordingly.

Board to erect Landing Stairs for the Use of the Temples.

31. Except only as is by this Act expressly enacted, this Act or anything therein contained shall not take away, lessen, prejudice, alter, or affect any of the Estates, Rights, Interests, Jurisdictions, Franchises, Powers, Authorities, Immunities, or Privileges of the *Inner Temple* and the *Middle Temple*, or either of them.

Saving Rights of the Temples.

32. As regards all Lands which shall be purchased or otherwise acquired by the Board under the Provisions of this Act, and which shall not be wanted for the Purposes of the same (other than and except

Board may grant Building Leases of Ground not wanted for

Purposes of this Act.

except such Lands as are by virtue of this Act reserved and excepted from the Operation of this Power of leasing, or are otherwise dealt with), it shall be lawful for the Board, subject to the Provisions of this Act, when and as they shall think fit, by an Indenture or Indentures under their Common Seal, to demise and lease such Ground and Hereditaments, or such Part thereof as they shall think it expedient to let on Building Leases, either together or in Parcels, to any Person or Persons who shall erect and build or covenant and agree to erect and build thereon, or on any Part or Parts thereof, Houses, Erections, and Buildings of such Rate or Class or respective Rates or Classes of Buildings, upon such Plan and Elevation or respective Plans and Elevations, of such Height or respective Heights, and with such Stories, as the Board shall think proper, for such Number of Years and under such Conditions as they may think fit, and either at a Rent or without any Rent, but so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent, if any shall be thereby reserved, and also such other Covenants on the Part of the Tenant or Lessee therein to be named as the Board shall reasonably require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent (if any) thereby to be reserved, or on Nonperformance of the Covenants therein to be contained on the Part of the Tenant or Lessee to be observed and performed, and that the Lessee or Lessees named in every such Lease shall execute a Counterpart thereof, and on the Negotiation for any such Lease the Board may, if they think fit, accept and take any Fine for the granting thereof, and may enter into any Agreement for the granting any Lease or Leases on such Terms and Conditions as they may think fit; and on the granting the Leases in pursuance of such Agreements may alter the Amount of the Rents agreed to be reserved on such Leases, and may apportion the same and grant separate Leases of any Part of the Hereditaments by any such Agreement agreed to be leased, as they may think fit; and may also, as they think fit, alter or rescind any Agreement as aforesaid, and may accept any Surrender of any Lease granted, for the Purpose of granting separate Leases of the same Premises at apportioned Rents or under different Covenants, or otherwise in all respects as the Board shall think fit; and further, any Part of the said Lands may be appropriated for Squares, Gardens, or open Places, or for Basins, Docks, Barge Beds, or other Works or Conveniences as aforesaid, and any Part thereof may be let for Yards or Courts to be attached to any Houses, to be leased as the Board shall think fit.

Board may make Agreements for Leases and accept Surrenders of Leases, &c.

Power to Board to sell the Ground Rents and

33. As soon as conveniently may be, and either before or after the Houses, Erections, and Buildings to be erected and built as lastly herein-before is mentioned, or any of them, shall be finished and completed,

pleted, and either before or after such Leases as last aforesaid shall have been granted, the Board shall and they are hereby authorized and required to sell and dispose of the Ground Rents to be reserved by the Leases or Demises in pursuance or in consideration of which the same Houses or Buildings respectively shall have been erected and built, or shall be agreed to be erected and built, and also the Reversion and Inheritance in Fee Simple in Possession (subject to any such Lease or Demise or Agreement) of the Pieces or Parcels of Ground thereby demised or agreed to be demised, and such Houses and other Buildings thereon, either altogether or in Parcels, by Public Auction or Private Contract, for such Prices or Sums of Money as the Board shall think reasonable, and subject to such Stipulations and Provisions as to the Enjoyment thereof, and as to the Nature of the Buildings which are to be at all Times erected and built thereon, and also subject to such Stipulations as to the Title to be produced to the Hereditaments to be sold, as the Board shall think fit; and as regards any Stipulations or Provisions which may be contained in any such Conveyance, the same may at all Times thereafter be enforced in a Court of Equity by the Board for the Benefit of the Parties entitled to the other Property adjoining or held under the same Title, in such Manner in all respects as the Board may think fit; and the Board shall at the Costs and Charges of the Purchaser of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the Board, by any Writing under their Common Seal convey and assure the Piece or Parcel of Ground so purchased by such Purchaser, together with the Houses, Erections, and Buildings then erected and built or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser, his Heirs and Assigns, or as he or they shall in that Behalf direct, free from all Incumbrances (except the Building Lease or Building Leases, or Agreement or Agreements to be granted thereof by virtue of this Act); and all Conveyances and Leases which shall be made as aforesaid pursuant to the Authority hereby in the Board reposed shall be adjudged sufficient to vest such Estate in the Purchaser or Lessee as shall have been agreed for, or shall be expressed or intended to be conveyed and granted by any such Conveyance or Lease.

Reversions comprised in such Lease.

34. It shall be lawful for the Board to sell in manner and subject as aforesaid, and absolutely to grant and convey, any of the Lands which shall be purchased or otherwise acquired by the Board as aforesaid, and which shall not be wanted for the Purposes of this Act, and which they shall not think it expedient to let on Building Leases as aforesaid, (other than and always except such Lands as by virtue of this Act are reserved and excepted from the Operation of this Power

Power to Board to sell any Ground which may not be wanted for the Purposes of this Act.

of Sale, or are otherwise dealt with), subject nevertheless to such Stipulations and Conditions as they may think fit, and thereupon the same shall be conveyed and assured by the Board as they shall think fit.

Superfluous Lands before Sale to be offered to Owners of Lands from which they were originally severed.

35. Before the Board dispose of any superfluous Lands they shall first offer to sell the same to the Person then entitled to the Lands (if any) from which the same were originally severed, and if any such Person be desirous of purchasing such Lands then within Six Weeks after such Offer of Sale he shall signify his Desire in that Behalf to the Board, or if he decline such Offer, or if for Six Weeks he neglect to signify his Desire to purchase such Lands, the Right of Pre-emption of every such Person so declining or neglecting in respect of the Lands included in such Offer shall cease, and a Declaration in Writing made before a Justice by some Person not interested in the Matter in Question stating that such Offer was made and was refused, or not accepted within Six Weeks from the Time of making the same, shall in all Courts be sufficient Evidence of the Facts therein stated.

Differences as to Price to be settled by Arbitration.

36. If any Person entitled to such Pre-emption be desirous of purchasing any such Lands, and such Person and the Board do not agree as to the Price thereof, then such Price shall be ascertained by Arbitration, and the Costs of such Arbitration shall be in the Discretion of the Arbitrators.

Application of Monies arising from Sale of Lands or from Rents.

37. The Board shall apply all the Monies arising by any such Sale or Disposition respectively as aforesaid, after paying all Expenses incident to such Sales or Dispositions, and satisfying all lawful Demands to which the Lands, Rents, and Premises so respectively sold or disposed of shall be liable, and also apply all the Rents and Profits of the Lands and Premises to be acquired by the Board under the Provisions of this Act, for and towards the carrying the Purposes of this Act into execution.

Surplus to be applied in Reduction of Monies borrowed, and subject thereto to the Embankment Fund.

38. After the Expiration of Five Years from the Commencement of this Act, if it shall at any Time appear at any annual Audit of the Accounts of the Board that the Monies received by them from any Source within the previous Year by virtue of this Act, and which shall be applicable to the Purposes of this Act, shall have been more than sufficient to pay the Expenses of the Board incurred under the Authority of this Act within such Year, then such Surplus shall be applied in paying off any Monies which may have been borrowed by the Board under the Authority of this Act; and when all the Monies which may have been borrowed by the Board under the Authority of this Act, and which for the Time being may

may be owing, shall have been repaid with all Interest which may have accrued due in respect thereof, the ultimate Surplus in the Hands of the Board shall be paid over by them to the *Thames* Embankment and Metropolis Improvement Fund, and such surplus Monies, when so paid over, shall be subject to the Provisions of "The *London* Coal and Wines Duties Continuance Act, 1861," in relation to that Fund.

Provisions of 18 & 19 Vict. c. 120., 19 & 20 Vict. c. 112., 21 & 22 Vict. c. 104. incorporated.

39. The Provisions of the Acts relating to the Local Management of the Metropolis, namely, the Acts Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, Nineteen and Twenty *Victoria*, Chapter One hundred and twelve, Twenty-one and Twenty-two *Victoria*, Chapter One hundred and four, shall, so far as the same are not inconsistent with the Provisions of this Act, extend and apply to the Objects and Purposes of this Act; and the Board shall, for carrying out those Objects and Purposes, have and may exercise all such Powers, Privileges, and Authorities as are conferred upon them by such Acts; provided that the Board shall not apply any Monies which they are authorized to raise under the said Acts to the Construction or Completion of the Works specially authorized by this Act.

Costs of Arbitrations under this Act.

40. All the Costs of any Arbitration under this Act and incident thereto, to be settled, in case of Difference, by One of the Masters of the Court of Queen's Bench, shall be borne by the Board, unless the Arbitrators shall award the same or a less Sum than shall have been offered by the Board, in which Case each Party shall bear his own Costs incident to the Arbitration; and the Costs of the Arbitrators shall be borne by the Parties in equal Proportions.

Use of Locomotives prohibited in the Streets.

41. It shall not be lawful for any Person to use a Locomotive Engine propelled by Steam along the Streets or Roadways constructed under the Provisions of this Act.

Power of Board to borrow on Mortgage, &c.

42. For the Purposes of this Act, the Board may, with the Consent of the Treasury, from Time to Time borrow by way of Mortgage or Bond on the Security of the Lands and Funds acquired under and appropriated to the Purposes of this Act, and at such Rate of Interest and upon such Terms as to the Time of Repayment and otherwise as the Treasury may approve, any Sums of Money the Board may require for the Purposes of this Act, not exceeding in the whole One million Pounds.

Securities transferable by Deed duly stamped.

43. All the Bonds and Securities upon the Funds so appropriated as aforesaid, and issued under the Authority of this Act, shall be transferable

transferable by Deed or Instrument in Writing duly stamped, and the Right to sue in respect of the Principal or Interest Monies secured by any such Bonds or Securities shall be vested in the Holders thereof for the Time being, without any Preference by reason of some of such Bonds or Securities being prior in Date to others.

Power to raise Money for the Repayment of Principal Money.

44. The Board may at any Time, with such Consent as aforesaid, raise by the Issue of new Mortgages, Bonds, or other Securities as aforesaid any Money that may be required to pay any Principal Money for the Time being due on any Mortgages, Bonds, or other Securities issued in pursuance of this Act.

Appropriation of Thames Embankment and Metropolis Improvement Fund.

45. The said *Thames* Embankment and Metropolis Improvement Fund shall be appropriated as follows; that is to say,

(1.) There shall be set apart thereout, and carried to such separate Account at the Bank of *England* as the Treasury may direct, such Sum as the Treasury may think necessary for paying off the Charges created as aforesaid on the said *London Bridge* Approaches Fund, and for Payment of all Costs, Charges, and Expenses of and incidental to the obtaining this Act, and of the Costs, Charges, and Expenses incurred by the Board in relation thereto, and the Treasury shall apply the same to such Purposes accordingly:

(2.) So much of the said *Thames* Embankment and Metropolis Improvement Fund as remains at the Time of the passing of this Act, after deducting the Sum so set apart as aforesaid, shall be paid over to the Board at such Times and in such Manner as the Treasury may direct, to be applied by the Board for the Purposes of this Act:

(3.) All Monies becoming Part of the said last-mentioned Fund after the passing of this Act shall be paid by the Treasury to the Board, in such Proportions as the Board may from Time to Time, by Writing under their Seal, require, and shall be applied by them, firstly, in paying the Interest for the Time being due on the Securities authorized to be issued under this Act; secondly, in paying the Principal Monies from Time to Time becoming due on such Securities; thirdly, in paying the Expenses incurred in respect of the several Works by this Act authorized, or in carrying this Act into execution; and lastly, in the Improvement of the Metropolis, in such Manner as may hereafter be determined by Parliament.

Monies received by the Board to be paid into the

46. All Sums of Money, Bills, and Drafts which shall be received by the Board under the Provisions of this Act shall from Time to Time within Two Days after the same shall have been received, or within

within Two Days after any Bill shall have been accepted, completed, and perfected, if the same shall not be accepted, completed, and perfected at the Time it shall be received, be paid by the Board into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or One of the Cashiers of the Bank of *England* shall be a sufficient Discharge, and all such Monies, Bills, and Drafts so to be paid as aforesaid shall from Time to Time be placed to the Account of "The Board" so to be opened as aforesaid, and shall be applied and disposed of by the Board for and towards the carrying of the several Purposes of this Act into execution.

Bank of England to their Account.

47. The Board shall cause a separate Account to be kept of the Money borrowed by the Board under this Act, and of all other Monies received and expended by them under this Act; and the Auditor appointed by the Secretary of State, under the Provisions of the Act of the Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, shall, upon his Audit of the Accounts of the Board in every Year, cause a separate Account and Statement to be prepared of the Receipt and Expenditure of the Board under this Act, and the same shall be sent by the Board to One of Her Majesty's Principal Secretaries of State, and shall be laid by him before Parliament at the same Time and Manner as is provided in Section Two hundred and one of the said Act.

Annual Accounts to be audited, and laid before Parliament.

48. In case any Damage or Mischief shall be done to the said Embankment or Roadway, or to any such Quays, Piers, Stairs, Hards, Slips, or Landing Places as aforesaid, or any of the Works, Matters, or Things to be constructed or provided under the Provisions of this Act, or any Part thereof respectively, by any Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, through the wilful Negligence of any Person having the Command of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel, or any of the Mariners or Persons employed therein, then and in every such Case the Owner of such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel is hereby made answerable to the Board for the Amount or Value of any such Damage or Mischief, and the same, provided it shall not exceed the Sum of Twenty Pounds, if not forthwith paid and satisfied, may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are by virtue of the Metropolis Local Management Act, Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, directed to be recovered.

Owners of Vessels liable for Damage done to the Embankment, &c.

49. In case the Owner of any such Ship, Lighter, Barge, Boat, Float, Raft, or Vessel shall be compelled to pay any Penalty, or to make Satisfaction for any Damages, by reason of any Neglect or Default done

Masters compelled to pay Penalties for Neglect of

Servants, may recover the same from Servants.

done or committed by his Servants or Mariners, or any of them, such Servants, and each and every of them, shall be liable to pay such Penalty or Damages (with the Costs thereof) to such Owner; and in case of Nonpayment, upon Demand thereof, and Oath made by such Owner of the Payment made by him of such Penalty, Satisfaction, or Damages, and that the same and the Costs thereof have not been repaid to him by such Servants or Mariners, or any of them, although demanded (such Oath to be made before any One or more Justice or Justices of the Peace for the County or Place where such Penalty or Satisfaction shall have been recovered), the Amount thereof, provided the same shall not exceed the Sum of Twenty Pounds, shall be recovered in the same Manner as any Penalty is by virtue of the Metropolis Local Management Act, Eighteen and Nineteen *Victoria*, Chapter One hundred and twenty, directed to be recovered.

Application of Penalties not appropriated.

50. When any Fine or Penalty shall be recovered under the Authority of this Act, the Application whereof is not otherwise provided for, the same shall be paid to the Board, and be applied by them for the Purposes of this Act.

Plaintiff not to recover without Notice, or after Tender of Amends.

51. No Plaintiff shall recover in any Action to be commenced against any Person for anything done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or left at his last or usual Place of Abode Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff, specifying the Cause of such Action; nor shall the Plaintiff recover if Tender of good and sufficient Amends shall have been made to him or his Attorney by or on behalf of the Defendant before such Action brought, nor if such Tender of Amends shall be made at any Time after such Action brought and before the Trial thereof, with Costs of Suit, to the Time of such last-mentioned Tender, but on Proof of such Tender on any Trial to be had in such Action the Plaintiff shall be nonsuited, and shall pay full Costs, to be recovered in the same Manner as any Defendant may recover Costs in any other Case by Law; or in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court wherein any such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit; whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

52. Provided always, That no Action or Suit shall be brought or prosecuted against any Person or Body for anything done in pursuance of this Act after Three Months next after the Fact committed,

or

or in case there shall be a Continuation of Damages, then after Three Months next after the doing or committing such Damage shall have ceased, and not afterwards; and every such Action or Suit shall be laid and brought in the Liberty or County where the Matter in dispute shall arise, and not elsewhere; and the Defendant in any such Action or Suit shall and may at his Election plead specially, or plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall have been brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or shall be brought in any other County or Place than as aforesaid, then and in every such Case the Jury or Juries shall find for the Defendant.

Land of the Duke of Northumberland, except that required for the Formation of certain Streets, not to be taken without Consent.

53. Except with the previous Consent in Writing of the Most Noble *Algernon* Duke of *Northumberland*, his Heirs, Sequels in Estate, or Assigns, the Board shall not take any more Land belonging to the said Duke, under the Provisions of this Act, than is requisite for the Formation of the following Streets, not exceeding Sixty Feet in Width; that is to say, a Street in continuation of *Whitehall Place* and a Street in continuation of *Northumberland Street*, such Streets to be made respectively in the Direction shown on the Plan A. herein-after referred to, or within the Limits of Deviation shown on such Plan; and, except with the previous Consent in Writing of the said Duke, his Heirs, Sequels in Estate, or Assigns, and of the said Board, no Building shall be erected upon the Lands taken from the said Duke, his Heirs, Sequels in Estate, or Assigns, for such Streets, or upon the Lands coloured Green upon the Plan marked (A.) signed in Duplicate by the Right Honourable *William Cowper*, One Part whereof is deposited in the Private Bill Office of the Honourable the House of Commons, except any Buildings for making necessary Fences on the Sides of such Streets, or for accommodating the Public with Fountains or covered Resting Places, or for Public Monuments, such Buildings or Monuments not exceeding Nineteen Feet in Height above Trinity High-water Mark.

As to Appropriation of certain Land Southward of the Craven Estate.

54. The Board shall appropriate and set apart so much of the Land to be acquired by them under the Powers of this Act lying Southward of the *Craven* Estate, belonging to *William George Craven* Esquire, as shall be necessary for the Formation of a public Street of not less than Sixty Feet in Width, in continuation of *Craven Street*, up to and to communicate with the new Street fourthly herein described, and such Land shall not be used for any other Purpose.

55. The

As to Street between Whitehall Place and Wellington Street.

55. The Street shown upon the said deposited Plans between *Whitehall Place* and *Wellington Street* shall pass on the South Side of the North Abutment of the *Charing Cross* Railway Company's Bridge now constructing across the River *Thames*, and under the Northernmost Opening of such Bridge.

Certain Land of Charing Cross Railway Company not to be taken without Consent.

56. The Board shall not, without the Consent in Writing of the *Charing Cross* Railway Company under their Common Seal, enter upon or take any of the Lands or Property of that Company coloured Red upon the Plan marked B. signed in duplicate by the Right Honourable *William Cowper*, One Part whereof shall be deposited in the Private Bill Office of the House of Commons, and in constructing the said Street and Embankment and the Works connected therewith shall not in any Manner injure the said Railway or Works, but shall submit the Plans of the Works passing under and affecting the said Railway to *John Hawkshaw* or other the Engineer of the said *Charing Cross* Railway Company, and construct the same to his reasonable Satisfaction.

As to Repair of Charing Cross Railway and Works.

57. Notwithstanding anything in this Act contained, it shall be lawful for the said Company, after Notice to the Board, and subject to their reasonable Regulations, at all Times hereafter to enter upon and use, for the Purposes of repairing, amending, or restoring their Railway and Works, and their Steamboat Pier and Landing Place at *Hungerford*, and the Works connected therewith, so much of the said Street or Embankment as adjoins to or passes under the said Railway and Works.

As to Construction of Landing Places.

58. No Public Landing Place, Pier Stairs, or Quay for landing Passengers (other than such as shall be substituted for the present *Adelphi* Pier at the Site now occupied by that Pier) shall be constructed under the Powers of this Act on the South Side of the said Embankment within One hundred and fifty Yards on either Side of the Steamboat Pier belonging to the *Charing Cross* Railway Company at *Hungerford*.

Saving Rights of Charing Cross Railway Company.

59. Except as is by this Act otherwise expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or derogate from any of the Estates, Rights, Interests, Liberties, or Privileges of the *Charing Cross* Railway Company.

Provision as to the Land belonging to the Duke of Norfolk.

60. Opposite the *Strand* Estate of the Duke of *Norfolk*, the North Side of the Approach Road, and the Approaches therefrom to *Surrey Street*, *Norfolk Street*, and *Arundel Street* respectively, shall be

be constructed on the Line and in the Position shown on the Plan marked C, signed by the Right Honourable *William Cowper*.

The Board shall not exercise any Powers of compulsory Purchase in respect of any Estate, Right, or Interest of the Duke of *Norfolk* in the *Strand* Estate, except so far as may be necessary for the Construction of the said Approach Road and Approaches.

No Buildings shall be placed on the reclaimed Land between *Somerset House* and the *Middle Temple* Southward of the said Approach Road on the said Plan, except the Walls or Arches of the Embankment or of any Roads or Approaches to be made on the said Land, and except any Public Stairs or Landing Places, Fountains and covered Resting Places for Public Use or Public Monuments.

All the Land between the present Southern Boundary of the *Strand* Estate and the North Boundary of the said Approach Road, and the Freehold and Inheritance thereof, shall, upon Payment or Allowance to the Board of the Value thereof, vest in the Duke of *Norfolk* by force of this Act, and be held by him as Part and Parcel of the *Strand* Estate.

The Duke of *Norfolk* shall have Power to build up to the Line of the Footways on the North Side of such Approach Road, and on both Sides of the Approaches to *Surrey Street*, *Norfolk Street*, and *Arundel Street* respectively, and have free Access to the said Approach Road and Approaches.

The Compensation to be paid to the Duke of *Norfolk* by the Board for the Value of or Injury to his Property, and the Sum to be paid by the Duke of *Norfolk* to the Board for the Value of the Land so hereby vested in him, shall, in case of Dispute, be settled in the Manner prescribed by this Act.

Throughout this Act the Expression the Duke of *Norfolk* means *Henry* now Duke of *Norfolk*, and every future Owner in possession of "the *Arundel* Estates," and every Guardian or Guardians of the said *Henry* Duke of *Norfolk* and every such future Owner during his Minority; and the Expression "the *Arundel* Estates" means the Estates for the Time being settled or conveyed to the Uses of an Act of Parliament passed in the Third Year of the Reign of King *Charles* the First (whereby certain Estates were settled upon the Heirs Male of *Thomas* Earl of *Arundel and Surrey*), and in the Possession of the Duke of *Norfolk* for the Time being; and the Expression "the *Strand* Estate" means such Parts of the *Arundel* Estates as are situate in the Parish of *Saint Clement Dane* in the County of *Middlesex*.

61. The Board shall not take by Compulsion under the Powers of this Act any other Part of the *Adelphi* Estate in the Parish of *Saint Martin* Provision as to the Adelphi Estate.

Martin in the Fields, belonging to or claimed by *George James Drummond*, than such as shall be required for the making of the Roadway and Footpath of the Street in this Act described, between *Whitehall Place* and *Wellington Street;* and the Land reclaimed under this Act from the River *Thames*, and lying between the *Adelphi* Estate and the Northern Side of the Line of that Street, shall be subject to the like Restrictions and Provisions in respect to Buildings and other Matters which might occasion Injury or Annoyance to the adjoining Property, or the Owners or Occupiers thereof, as are under the Act of the Eleventh Year of the Reign of King *George* the Third, intituled *An Act to enable certain Persons to enclose and embank Part of the River* Thames *adjoining to* Durham Yard, Salisbury Street, Cecil Street, *and* Beaufort Buildings *in the County of* Middlesex, enacted, and as are now in force in respect of that Part of the *Adelphi* Estate which immediately adjoins thereto, and was enclosed and embanked under that Act; and the same Land so lying between the *Adelphi* Estate and the Northern Side of such Line of Street, and the Fee Simple and Inheritance thereof in possession, shall upon the Completion of the same Street, or of that Portion thereof which shall pass in front of the said *Adelphi* Estate, or on the Completion of the Embankment by this Act authorized, which Event shall first happen, and on Payment of the Balance, if any, which, under the Arbitration herein-after referred to, will have to be paid by the said Owner to the Board, vest in the Owner of the said *Adelphi* Estate; and the Amount of Compensation to be paid by the Board in respect of any Land purchased, and for any Damage done to the said *Adelphi* Estate by the Execution of the Powers of this Act, to which the said Owner may be entitled, under the Provisions of this Act, and also the Value of the said Land so to be vested in the Owner of the *Adelphi* Estate, shall be settled by Arbitration, pursuant to the Provisions of this Act; and the Sum or Sums awarded in respect of the Value of the Land to be so vested and in respect of such Compensation may be set off one against the other, and the Difference shall be paid by the Owner to the Board, or by the Board to the Owner, as the Case may be: Provided always, that no Building shall be erected between the Land so vested in the Owner of the said *Adelphi* Estate and the River *Thames* other than the Walls or Arches of the Embankment or of any Roads or Approaches to be made on the said Land, and except any Public Stairs or Landing Places, Fountains, and covered Resting Places for Public Use, or Public Monuments.

Buildings not to be erected between the

62. No House or Building shall be constructed without the Consent of the Marquis of *Salisbury*, his Heirs, Sequels in Right, or Assigns, upon any Land now lying between, or which shall or may after

after the Reclamation and Enclosure of the Bed and Foreshore of the River, lie between, *Cecil Street* and *Salisbury Street*, and the Houses on the Southern Ends thereof on the North and the River *Thames* on the South, other than the Walls or Arches of the Embankment, or any Roads or Approaches to be made on the said Land, and except any Public Stairs or Landing Places, Fountains, and covered Resting Places for Public Use or Public Monuments; but the said Marquis, his Heirs and Assigns, and his and their Lessees and Tenants of Houses and Premises in *Cecil Street* and *Salisbury Street* respectively, shall have full and free Rights of Communication, and Access and Egress, at all Times, to and from the Land so to be reclaimed and enclosed as aforesaid, and the Board shall provide and construct such convenient Means of Communication therewith as may be necessary for giving to the Marquis, his Heirs and Assigns, and his and their Lessees and Tenants, such Access accordingly.

Property of the Marquis of Salisbury and the River.

63. No Roadway to *Salisbury Street* shall be constructed without the Consent of the said Marquis, his Heirs or Assigns, and if so constructed shall not be open to the Public except for Foot Passengers, unless the said Marquis, his Heirs or Assigns, shall by some Writing under his or their Hand or Hands signify his or their Intention to dedicate it to the Public for other Purposes, to be specified in such Writing or Writings.

Junction with Salisbury Street not to be constructed without Consent of Marquis of Salisbury.

64. Except as herein expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privileges, Franchises, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or of the Lord Mayor of the said City for the Time being.

Nothing to prejudice Rights of the Corporation of London.

65. Except as herein expressly provided, nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Rights of the Conservators of the River *Thames*, or to prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of the passing of this Act the said Conservators did or might lawfully claim, use, or exercise.

Saving Rights of the Conservators of the Thames.

66. Nothing in this Act shall interfere with the Powers given by Law to the Commissioners of the Police of the Metropolis.

Saving Powers of Metropolitan Police.

67. If the Board in the course of the Construction of the Works hereby authorized shall interrupt the Course of any Main or other Sewer or Drain, or the Flow of Sewage therefrom, the Board shall, until the Low Level Sewer is available, provide a proper and sufficient Substitute

As to Interference with Sewers.

Substitute before the Flow of Sewage in any such Sewer or Drain is so interrupted.

Saving Rights of Commissioners of Sewers.

68. Nothing in this Act contained shall in any Manner prejudice or affect any of the Powers of the Commissioners of Sewers of the City of *London* further than may be absolutely necessary for effecting the Works by this Act authorized; and any Expense which such Commissioners may incur in making any additional Sewers or Drains, or altering any existing Sewers or Drains (not being Main Drains), in consequence of the Removal, Destruction, Alteration, or Diversion or stopping up any existing Sewers or Drains, shall be repaid to them by the Board.

Saving Rights of District Boards and Vestries.

69. Except only as by this Act expressly provided, nothing in this Act contained shall take away, lessen, prejudice, or alter any of the Powers, Rights, Privileges, and Authorities of any District Board or Vestry.

Saving of Rights of Companies herein named.

70. Except as herein is specially provided, nothing in this Act shall prejudice, diminish, alter, or affect any of the Rights, Privileges, Powers, or Authorities by Law vested in the *Charing Cross Bridge* Company, the *Waterloo Bridge* Company, the Corporation of *London* in respect of *Blackfriars Bridge*, the Commissioners of Her Majesty's Works and Public Buildings in respect of *Westminster Bridge*, and the *London, Chatham, and Dover* Railway Company respectively.

No Deviation in Works opposite Crown Land without Consent.

71. Whereas Two Copies of the aforesaid Plans and Sections (which Copies are herein-after called the Crown Plans) have been prepared, on which certain Parts of the Bed or Foreshore of the River *Thames* up to High-water Mark, belonging to or claimed by Her Majesty as Part of the Hereditary Land Revenues of the Crown, are coloured Blue, and other Parts of the same Bed or Foreshore in front of *Somerset House* and of the Buildings in *Cannon Row*, commonly called the Board of Control, respectively are coloured Green, and other Parts of the same Bed or Foreshore in front of certain Land belonging to the Commissioners of Her Majesty's Works and Public Buildings, incorporated for the Purposes of "The *Westminster Bridge* Act of 1853," are coloured Red, and on which Crown Plans the Line of the Roadway and Street authorized by this Act on the said Parts of the said Bed or Foreshore coloured Blue, Green, and Red respectively is confined between Red and Black Lines, and the Line of the *Whitehall Yard* Street authorized by this Act on the said Bed or Foreshore coloured Blue is confined between Red Lines: And whereas the said Crown Plans have been or are intended to be forthwith signed by the

the First Commissioner of Her Majesty's Works and Public Buildings and by One of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues: Be it enacted, That one Part of the said Crown Plans so signed as aforesaid shall be deposited among the Records of Her Majesty's Court of Exchequer, and the other Part thereof in the Office of Land Revenue Records and Inrolments, as soon as conveniently may be after the passing of this Act (if not so deposited previously to the passing thereof); and it shall not be lawful for the Board, in the Construction of the said intended Roadway and Street respectively, to make any Deviation from the Levels defined in the Sections shown on the Crown Plans, nor from the Limits of Deviation defined by the said Red and Black Lines and Red Lines respectively on the said Crown Plans, without the Consent in Writing of the First Commissioner of Her Majesty's Works and Public Buildings as regards the Bed or Foreshore coloured Green and Red on such Plans, or of One of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues for the Time being as regards the Bed or Foreshore coloured Blue on such Plans.

Works to be done before Roadway on Crown Lands opened to Public.

72. The Board shall, at their Expense, before opening to the Public the Parts of the intended Roadway which will be constructed on the Bed or Foreshore coloured Blue and Green respectively on the Crown Plans, fill up, level, and wall or fence all those Parts of the said Bed or Foreshore coloured Blue and Green respectively lying between the intended Roadway and the present River Frontage (above High-water Mark), to the Satisfaction in all respects of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, as to the Bed or Foreshore coloured Blue, and of the First Commissioner of Her Majesty's Works and Public Buildings as to the Bed or Foreshore coloured Green, and such filling up and levelling (unless such last-mentioned Commissioners respectively shall otherwise direct in Writing under their respective Hands as to the whole or any Part thereof) shall be done to the Level of the adjoining River Frontage above High-water Mark, and of the said intended Roadway and Street respectively on the Side or Sides abutting thereon respectively.

Disposal of reclaimed Land in which Crown interested.

73. The Bed or Foreshore so filled up, levelled, and walled or fenced as aforesaid shall, as to the Part coloured Blue, continue vested in Her Majesty, Her Heirs and Successors, and shall as to the Part coloured Green be annexed to and be deemed to form Part of *Somerset House* and the House heretofore known as the Board of Control respectively for all Purposes whatsoever, and it shall not be lawful for the Board to use any Part of the Bed or Foreshore coloured Blue or Green so to be filled up as aforesaid for the

Purpose of depositing Materials, except during the Construction of the Works, nor to appropriate or grant any Part of such Bed or Foreshore, or any Right or Easement to, over, or in connexion therewith, by way of Compensation to any Person for Loss of River Frontage or other Damage, it being the Intention of this Act that the same respectively shall be and remain vested and annexed as aforesaid in possession, without becoming subject to any Rights or Estates of or in any Lessees of the River Frontage or other Persons, except only so far as any Lessees may exercise the Option by this Act given to them of taking Leases of the reclaimed Land; and after such filling up, levelling, and walling or fencing aforesaid of the said Bed or Foreshore coloured Blue and Green respectively, and the Embankment in front thereof, shall have been completed, it shall not be lawful for the Board to enter on the Parts so filled up, levelled, and walled or fenced for any Purpose whatsoever.

No Building to be erected on Embankment opposite Land in which Crown interested without Consent.

74. It shall not be lawful for the Board to erect any Building or Structure whatever (other than a Parapet Wall or Railing not exceeding Four Feet in Height) on any Part of the Embankment coloured Blue, Green, or Red on the said Crown Plans, without the Consent in Writing of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, as regards the Part coloured Blue, or of the First Commissioner of Her Majesty's Works and Public Buildings as regards the Parts coloured Green and Red.

Mode of ascertaining Value of Interest of Crown and Thames Conservators in certain Lands.

75. An Estimate shall be made of the Amount of any Diminution in Value which may be caused by the Works by this Act authorized (except of so much thereof as will be situate on the Lands coloured Blue, Green, or Red on the Crown Plans, for which excepted Parts no Money Compensation is to be paid,) of the Rights and Interests of Her Majesty in right of Her Crown, and of the Conservators of the River *Thames* under "The *Thames* Conservancy Act, 1857;" and the Amount of such Estimate shall be paid by the Board to the Conservators, to be applied by them according to the Provisions of the same Act, by way of Compensation for the Rights and Interests aforesaid; and the said Estimate shall be made by Two Arbitrators or their Umpire in manner following; *viz.*, one such Arbitrator shall be appointed by the Board, and the other by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, within One Month after the passing of this Act; and such Arbitrators shall before they commence their Duty appoint an Umpire in Writing; and if within Twenty-one Days after both Arbitrators have been appointed they shall omit or refuse to appoint an Umpire as aforesaid, it shall be lawful for the Commissioners of

of Her Majesty's Treasury to appoint an Umpire, which Appointment shall be valid, whether the Arbitrators have then commenced their Duty or not; and if either Party shall neglect or refuse to appoint an Arbitrator as aforesaid, the Arbitrator appointed by the other Party shall act alone; and the Decision of such Arbitrators, or Arbitrator or Umpire (as the Case may be), shall be final; and all the Costs and Expenses of the Valuation to be incurred by either Party shall be borne and paid by the Board.

No Compensation to Crown in respect of Land above High-water Mark.

76. The Board shall not be liable to pay to Her Majesty, Her Heirs or Successors, any Compensation for any Damage or Injury which may be caused to any of the Lands belonging to Her Majesty, Her Heirs and Successors, in right of the Crown above High-water Mark by reason of the Severance from the River *Thames* and of the Construction of the Roadway on the Embankment by this Act authorized.

New Landing Places to be provided where existing ones removed.

77. Whenever the Board shall shut up, remove, or in any Manner obstruct the Use and Enjoyment of any existing Stairs, Hards, or Landing Places on or in front of any Part of the Bed or Foreshore coloured Blue, Green, or Red in the said Crown Plans, they shall, at their own Expense, construct and maintain other Stairs or Landing Places in lieu thereof, to the Satisfaction of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, as regards the Part coloured Blue, and of the First Commissioner of Her Majesty's Works and Public Buildings as regards the Parts coloured Green and Red respectively, such substituted Stairs or Landing Places to be for the sole Use and Enjoyment of Her Majesty, Her Heirs and Successors, or such other Person or Persons as are or would have been entitled to the Use and Enjoyment of the Stairs or Landing Places in lieu whereof the same respectively shall have been constructed; and it shall not be necessary to obtain the Approval of the Conservators of the River *Thames* before constructing such Stairs or Landing Places, nor shall the same vest in the said Conservators, any general Provisions in this Act notwithstanding; and the Board shall, at their own Expense, construct and maintain such Roads, Ways, and other Communications into the said intended Roadway from the Lands or Buildings adjoining the Parts coloured Green and Red respectively on the said Crown Plans, and also such Stairs and other Conveniences for Access to the River from the same Lands, as the Commissioners of Her Majesty's Treasury shall from Time to Time during the Construction of the Works authorized by this Act in Writing require, and shall on the like Requisition afterwards stop up and discontinue the same or any of them; and it shall be lawful for Her Majesty, Her Heirs and Successors, or the Commissioners for the

the Time being of Her Majesty's Woods, Forests, and Land Revenues, at any Time or Times hereafter to require the Board, at the Expense of the said Commissioners, to construct any Vaults or Cellars extending not more than Twelve Feet under any Roadway or Street to be constructed upon any Part of the said Bed or Foreshore coloured Blue, and also to have Access at all Points to such Roadway or Streets from any Part of the Hereditary Possessions of the Crown, and to open any Streets into the same; and it shall also be lawful for the Commissioners for the Time being of Her Majesty's Works and Public Buildings, with the Consent or by the Direction of the Lords Commissioners of Her Majesty's Treasury, at any Time or Times hereafter, to require the Board, in like Manner, and at the Expense of the said Commissioners, to construct any such Vaults or Cellars as aforesaid under the Roadway or Streets to be constructed upon any Part of the said Bed or Foreshore coloured Green or Red, and also to have Access at all Points to such Roadway or Streets from any Part of the Buildings or Land adjoining the said Parts coloured Green and Red respectively, and to open any Streets into the same: Provided always, that no Work to be done under the foregoing Provision shall be such as to prejudice or injuriously affect any Subway or other Works of the Board, or the convenient Use thereof by the Public.

Crown Lessees to have Option of taking Lease of reclaimed Land adjacent to their Properties for Terms of their Leases.

78. It shall be lawful for the Lessees of Her Majesty of the River Frontage, adjacent to so much of the Land and Foreshore coloured Blue on the Crown Plans as lies between *Whitehall Stairs* and the Southern Extremity of the Land and Foreshore so coloured Blue, to have the Option (to be signified by Notice in Writing under the Hands of such Lessees respectively, and to be left at the Office of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues,) within Five Years after the passing of this Act, of taking Leases from the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, of the Land and Foreshore adjacent to their respective Leasehold Properties which will intervene between the same and the intended Roadway for Terms co-extensive with their several existing Leases, and at Rents to be fixed as herein-after provided; and in case any Question shall arise as to the Lessees or Lessee entitled to such Option, or as to the Extent of Land and Foreshore to be included in any Lease, every such Question shall be settled by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, whose Decision shall be final; and the Rents to be reserved by such Leases shall in every Case be fixed by the Arbitration of Two Surveyors, one to be nominated by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues,

or

or One of them, and the other by the Lessees respectively, or by an Umpire to be appointed by such Arbitrator, or to be agreed to in the first instance by the said Commissioners or Commissioner and Lessees respectively; and such Rent shall be estimated on the Basis of a fair Rental on the Land as Garden Ground which cannot be built upon; and in any Claim for Compensation by the said Lessees on the Ground of their Lands or Interests being injuriously affected by reason of the Works by this Act authorized, regard shall be had to the Option by this Section given to such Lessees of taking Leases of the Land and Foreshore adjoining to their respective Properties at such Rent as aforesaid.

Saving Rights of Crown under Conservancy Act.

79. Except as specially provided by this Act, all the Rights and Interests of Her Majesty, Her Heirs and Successors, under the *Thames* Conservancy Act, 1857, shall continue unaffected and in full Force.

Saving Rights of the Crown generally.

80. Nothing contained in this Act shall authorize the Board to take, use, or in any Manner interfere with any Land, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, claimed by or belonging to or enjoyed or exerciseable by the Queen's most Excellent Majesty in right of Her Crown, other than the Lands, Tenements, Hereditaments, or Rights below High-water Mark, for the Acquisition whereof express Provision is made by this Act, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, on behalf of Her Majesty, first had and obtained for that Purpose (which Consent such Commissioners are hereby respectively authorized to give); neither shall anything in this Act contained divest, take away, prejudice, diminish, or alter any Estate, Right, Privilege, Power, or Authority vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Provision as to Land belonging to the Duchy of Lancaster.

81. A Valuation of any Lands, Tenements, or Hereditaments, or of any Rights and Interests whatsoever, vested in, belonging to, or enjoyed or exerciseable by Her Majesty, Her Heirs and Successors, in right of Her Duchy of *Lancaster*, which shall be required to be taken, used, or interfered with by the said Board for the Purposes of this Act, shall be made, and the Amount of such Valuation shall be paid by the said Board to the Receiver General of the Revenues of the said Duchy, or his sufficient Deputy or Deputies, before the said Board shall commence any Works within the Manor or Precinct of the *Savoy*, or within any Lands vested in or belonging to Her Majesty in right of Her said Duchy; and the said Valuation shall be made by Two Arbitrators in manner following; that is to say,

say, one such Arbitrator shall be appointed by the Board, and the other by the Chancellor for the Time being of the said Duchy, within One Month after the passing of this Act; and such Arbitrators shall, before they commence their Duty, appoint an Umpire in Writing; and if within Twenty-one Days after both Arbitrators have been appointed they shall omit or refuse to appoint an Umpire as aforesaid, it shall be lawful for the Lords Commissioners of Her Majesty's Treasury to appoint an Umpire, which Appointment shall be valid, whether the Arbitrators have then commenced their Duty or not; and if either Party shall neglect or refuse to appoint an Arbitrator as aforesaid, the Arbitrator appointed by the other Party shall act alone; and the Decision of such Arbitrators or Arbitrator or Umpire (as the Case may be) shall be final; and all the Costs and Expenses of the Valuation shall be borne and paid by the said Board; and the Amount of Valuation paid to the Receiver General shall be dealt with as Purchase Monies for Lands sold under the "Duchy of *Lancaster* Sales Act, 1855," and upon Payment thereof the Chancellor and Council may execute a Grant or Assurance to the Board of the Lands, Tenements, or Hereditaments, Rights or Interests, in respect of which such Payment shall have been made, as provided in the Case of a Sale under that Act.

Street Viaduct within Savoy Precinct to be constructed to Satisfaction of Duchy of Lancaster Surveyor, and saving Rights of Duchy of Lancaster.

82. The Street Viaduct within the Precinct of the *Savoy* shall be constructed to the Satisfaction of the Surveyor in that Behalf of the Duchy of *Lancaster*, and so as not to interfere with the Chapel of *Saint John the Baptist* in the said Precinct, and as little as possible with the Yard of the said Chapel; and in constructing the said Viaduct the Board shall not, without the Consent in Writing of the Chancellor and Council for the Time being of the said Duchy on behalf of Her Majesty in right of Her said Duchy first had and obtained for that Purpose, which Consent the said Chancellor and Council are hereby authorized to give, enter upon, use, or take any more Ground than shall be actually requisite for the Construction thereof, and the Ground between the Pillars under the said Viaduct shall remain and be vested in Her Majesty, Her Heirs and Successors, in right of Her said Duchy; and nothing in this Act shall authorize the Board to take, use, or in any Manner interfere with any Land, Tenements, or Hereditaments, or any Rights, of whatsoever Nature, belonging to or enjoyed or exerciseable by Her Majesty in right of Her Duchy of *Lancaster*, other than the Lands, Tenements, and Hereditaments or Rights for the Acquisition whereof Provision is made by the next immediately preceding Section of this Act, without the Consent in Writing of the Chancellor and Council for the Time being of the said Duchy, on behalf of Her Majesty, in right of Her said Duchy, first had and obtained for that Purpose (which Consent the said Chancellor

Chancellor and Council are hereby authorized to give); neither shall anything in this Act contained divest, take away, prejudice, diminish, or alter any Estate, Right, Title, Privilege, Power, or Authority vested in or enjoyed or exerciseable by Her Majesty, Her Heirs or Successors, in right of Her said Duchy.

Viaduct in front of City Gasworks.

83. The Viaduct in front of the Works and Premises of the City of *London* Gaslight and Coke Company shall be carried upon Two Arches, having each a Span of Seventy Feet at the least, and a Headway beneath the same of not less than Eight Feet above Trinity High-water Mark.

Viaduct in front of Whitefriars Dock.

84. There shall be One Arch under the said Viaduct in front of the *Whitefriars* Dock, having a Span of Seventy Feet at the least, and having a Headway beneath the same of not less than Eight Feet above Trinity High-water Mark.

Supplemental Plans marked A. B. and C. to be deposited with Clerk of Peace of Middlesex.

85. Within Two Months after the passing of this Act the several supplemental Plans herein referred to as signed by the Right Honourable *William Cowper*, and marked respectively A, B, and C, shall be deposited with the Clerk of the Peace for the County of *Middlesex*, who shall receive and retain them, and permit all Persons interested to inspect them, and make Copies and Extracts of and from them, in like Manner, upon the like Terms, and under the like Penalty for Default, as by the Act of the First Year of the Reign of Her present Majesty, Chapter Eighty-three, is provided with respect to the Documents therein specified.

SCHE-

SCHEDULE.

Form of Mortgage.

In pursuance and by virtue of "The Thames Embankment Act, 1862," we, the Metropolitan Board of Works, do hereby, in consideration of the Sum of £ paid to us by of [*&c.*] for the Purposes of this Act, assign to the said Executors, Administrators, and Assigns, such Part or Proportion of the Thames Embankment and Metropolis Improvement Fund under "The London Coal and Wine Duties Continuance Act, 1861," and of the Monies from Time to Time payable to us out of the Fund by virtue of the first herein-before mentioned Act, as the said Sum of £ bears to the whole Amount from Time to Time borrowed by us on the Security of that Fund and of the Monies last aforesaid, to hold to the said Executors, Administrators, and Assigns, until the Sum of £ with Interest thereon at the Rate of £ per Centum per Annum from the Day of the Date hereof, and to be paid half-yearly, shall be fully paid. As witness our Corporate Seal, this Day of in the Year of our Lord 18 .

LONDON:
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Printers to the Queen's most Excellent Majesty. 1862.