

ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. CXXXVII.

An Act to amend and enlarge the Powers of an Act of the Forty-ſixth Year of His preſent Majeſty, for conſolidating and rendering more effectual the ſeveral Acts for the Purchaſe of Buildings and further Improvement of the Streets and Places near to *Weſtminſter Hall* and the Two Houſes of Parliament. [30th *June* 1808.]

WHEREAS by an Act, paſſed in the Forty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for conſolidating and rendering more effectual the ſeveral Acts for the Purchaſe of Buildings and further Improvement of the Streets and Places near to* Weſtminſter Hall *and the Two Houſes of Parliament*, the Commiſſioners thereby appointed are empowered to purchaſe for the Purpoſes thereof, all the Ground, Houſes, and Buildings ſituate within certain Limits thereby preſcribed: And whereas the Dean and Chapter of the Collegiate Church of *Saint Peter* of *Weſtminſter* are the Proprietors of a conſiderable Part of the Property included within the Limits in the ſaid recited Act, and herein-after mentioned, and have ſignified their Willingneſs to leaſe any Part thereof, if required, to the ſaid Commiſſioners, for the Term of Ninety-nine Years, with Powers for the ſaid Commiſſioners to take down all or any of the Houſes and Buildings now ſtanding upon any Part of the Ground ſo to be leaſed, and to erect other Houſes and Buildings thereon; and the ſame cannot be carried into Effect under the Powers contained in the ſaid recited Act, and additional Powers ſhould be given for that Purpoſe: And whereas by an Act, paſſed in the Forty- 46 G. 3. c. 89.

47 G. 3. c. 67. Local. seventh Year of the Reign of His present Majesty, intituled, *An Act to amend Three Acts, of the Eighteenth, Thirty-ninth, and Forty-fourth Years of His present Majesty for erecting a Court House for the holding of Sessions of the Peace in the City of* Westminster, the Commissioners thereby appointed are empowered to sell, and have accordingly agreed to sell, to the Commissioners under the said Act of the Forty-six h Year aforesaid, certain Houses and Buildings, and the Ground whereon the same stand, being Parts of the Premises purchased by the Commissioners under the said Act of the Forty-seventh Year aforesaid, or the Acts therein referred to, for the Purpose of erecting the said Court House thereon, and on other Part whereof the said Court House hath lately been erected accordingly: And whereas Part of the Ground by the said last recited Act authorized to be sold as aforesaid, is requisite for the Purpose of forming a commodious and uniform Entrance to the said Court House; and it is therefore expedient that the same should be resold to the Commissioners under the said last recited Act, or exchanged with them for a Slip of vacant Ground belonging to them, extending along the West Side of the said Court House, and not wanted for the Accommodation thereof: And whereas for effectuating the Purposes aforesaid, and other the Purposes herein-after mentioned, it is requisite that the said Act of the Forty-sixth Year of the Reign of His present Majesty should be altered and amended, and that additional Powers should be given to the Commissioners for executing the same; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Dean and Chapter, and they are hereby authorized and empowered, notwithstanding any Statute or Statutes now in force to the contrary, by Indenture or Indentures under their Common Seal, to be inrolled in one of His Majesty's Courts at *Westminster*, to demise or lease to the Commissioners under the said Act of the Forty-sixth Year of His present Majesty, or to any such Three of them as therein mentioned, for the Term of Ninety-nine Years, to take Effect in Possession, all or any Part or Parts of the Ground, Houses, and Buildings situate as after mentioned; (that is to say), fronting East on *King Street*, from the South East Corner of *Great George Street* to the South End of *King Street*; or fronting South on the *Broad Sanctuary* and *Saint Margaret's* Church Yard, from the South End of *King Street* to the South East Corner of the said Court House; or fronting West on the *Little Sanctuary*, the said Court House, or *Little George Street*; or adjoining North on the back of the Houses and Premises in *Great George Street*; and also all or any Part or Parts of the Ground, Houses, and Buildings belonging to the said Dean and Chapter, situate to the West of *King Street*, the North of *Saint Margaret's* Church Yard, the East of the said Court House and *Little George Street*, or the South of *Great George Street*, within the Limits before described, and all the Premises lying within the Boundary above described, and also all or any Part or Parts of the Ground, Houses, and Buildings whatsoever, belonging to the said Dean and Chapter, situate between the *Broad Sanctuary* and *Love Lane* on the South and South East, *Bow Street* on the North, *Green Alley* on the East, and *Tothill Street* and *Princes Street* on the West; and also all Ground, Houses, and Buildings situate between *Love Lane* and the *Broad Sanctuary*;

Dean and Chapter may demise to the Commissioners under the recited Act 46 G. 3. c. 89. certain Premises herein mentioned.

also all or any Part or Parts of the Grounds, Houses, and Buildings belonging to the said Dean and Chapter between *Love Lane* and the *Broad Sanctuary*; and also all or any Part or Parts of the Ground, Buildings, and Houses belonging to the said Dean and Chapter, which the said Commissioners under the said Act of the Forty-sixth Year aforesaid are thereby empowered, by and with the Consent and Approbation in Writing of the Lord High Treasurer of *Great Britain*, or of the Commissioners for executing the said Office of Lord High Treasurer for the Time being, or any Three of them, to purchase; and that every such Demise or Lease shall and may be made at such yearly Rent or Rents, and under and subject to such Covenants, Conditions, Restrictions, and Agreements, as shall be agreed upon between the said Dean and Chapter, and the Commissioners for executing the said Act of the Forty-sixth Year aforesaid; but that no such Lease shall be granted by the said Dean and Chapter until the same Commissioners shall, under the Authority of the said Act of the Forty-sixth Year aforesaid, have purchased the Rights and Interests of the respective Lessees, or Undertenants of the Hereditaments to be comprized therein respectively.

Such Commissioners may purchase the Premises on the South Side of Great George Street, &c.

II. And be it further enacted, That it shall be lawful for the Commissioners under the said Act of the Forty-sixth Year aforesaid, or any such Three of them as therein mentioned, and they are hereby authorized and empowered, subject to the same Restrictions and Controul of the Lords Commissioners of the Treasury as are contained in the said Act, to purchase the respective Rights and Interests of all Persons whomsoever in all Ground, Houses, and Buildings whatever, situate on the South Side of *Great George Street*, bounded on the West by *Princes Street*, on the South West by *Bow Street*, and on the South East by *Angel Court*, including the Houses and Premises on both Sides of the said Court, and its several Branches, and the House on each Side the Angle in *Bow Street*, on the North of the Passage leading into *Angel Court*.

Premises hereafter contracted for shall be conveyed to the said Commissioners, and afterwards vested in the Treasury.

III. And be it further enacted, That (notwithstanding any Thing in the said Act of the Forty-sixth Year aforesaid contained to the contrary) all Houses, Buildings, and Ground which shall hereafter be contracted to be purchased by or leased to the Commissioners under the same Act or this Act, shall be conveyed or demised to any such Three of the same Commissioners, as in the said Act of the Forty-sixth Year aforesaid is mentioned; and after the same shall have been so conveyed or demised, or after the Money agreed or awarded to be paid as the Consideration for any such Purchase or Lease shall have been paid into the Bank of *England* in pursuance of the Directions of the same Act, shall be, and the same are hereby vested in the Lord High Treasurer of *Great Britain*, or in the Commissioners for executing the said Office of Lord High Treasurer for the Time being, and shall be employed for the Purposes of the same Act, subject to the Powers and Authorities herein contained; and that the annual Rents and Profits arising from any Grounds, Houses, and Buildings so to be purchased or leased, or from any Houses or Buildings which shall be erected in pursuance of the said last-mentioned Act or of this Act, shall from Time to Time be received by any Person or Persons to be for that Purpose appointed by the Lord High Treasurer of *Great Britain*, or the Commissioners for executing the said Office of Lord High Treasurer for the Time being, or any Three of them, and shall be paid into

Rents arising from the Premises shall be paid into the Exchequer.

His

His Majesty's Exchequer, and carried to and made Part of the Consolidated Fund of *Great Britain*.

Such Commissioners may contract for taking down Houses purchased by them, and disposing of the Materials.

IV. Provided always, and be it further enacted, That it shall be lawful for the Commissioners under the said Act of the Forty-sixth Year aforesaid, or any such Three of them as therein mentioned, from Time to Time to direct or contract for the taking down of any Houses and Buildings which shall be purchased by them under the said Act of the Forty-sixth Year aforesaid or this Act, or which shall be leased to them by virtue of this Act, and for the selling and disposing of the Materials of all such Houses and Buildings; and that all such Materials, and the Money arising from the Sale thereof, shall be, and are hereby vested in the Commissioners under the said Act of the Forty-sixth Year aforesaid, and such Money shall be applied and accounted for in the Manner directed by the said last mentioned Act, touching the Money arising from Sale of the Materials of the Houses and Buildings to be taken down in pursuance thereof.

Under-leases of the Hereditaments purchased from or demised by the Dean and Chapter may be granted, &c.

V. Provided also, and be it further enacted, That when any Hereditaments shall have been purchased from or demised by the said Dean and Chapter in pursuance of the said Act of the Forty-sixth Year aforesaid, or of this Act, it shall be lawful for the said Commissioners, under the said Act of the Forty-sixth Year aforesaid, or any such Three of them as therein mentioned, from Time to Time (by and with the Consent and Approbation of the said Lord High Treasurer, or of the Commissioners for executing the said Office of Lord High Treasurer for the Time being, or of any Three or more of them) by any Deed or Deeds to be sealed and delivered by the Commissioners for the Time being exercising this present Power, and to be inrolled in One of His Majesty's Courts at *Westminster*, to grant any Under-lease or Under-leases of all or any Part or Parts of the same Hereditaments to any Person or Persons whomsoever for any Term or Number of Years; and also that it shall be lawful for the same Commissioners, or any such Three of them as aforesaid, from Time to Time to grant any Lease or Leases for any Term or Terms of Years of all or any other Part or Parts of the Grounds which have been or shall be purchased in pursuance of the said Act of the Forty-sixth Year aforesaid, or any of the Acts therein referred to or of this Act, and that every Lease which shall be granted in pursuance of this Act, shall and may be granted at such yearly Rent or Rents, and under and subject to such Covenants for building thereupon, and such other Covenants, Conditions, Restrictions, and Agreements as the said Lord High Treasurer, or the Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, shall approve.

Commissioners under the Act of 46 G. 3. may dispose of to the Commissioners under the Act of 47 G. 3. so much Ground as

VI. And be it further enacted, That it shall be lawful for the said Commissioners, under the said Act of the Forty-sixth Year aforesaid, or any such Three of them as therein mentioned, as soon as the Ground, Houses, and Buildings by the said Act of the Forty-seventh Year aforesaid authorized to be sold to them, shall have been purchased, to dispose of to the Commissioners under the said Act of the Forty-seventh Year aforesaid, either by way of Sale or in Exchange for all or any Part of the said Slip of Ground, extending along the West Side of the said Court House, so much of the Ground to be purchased of them as by the said Commissioners

Commissioners under the said Act of the Forty-sixth Year aforesaid, shall be deemed requisite for the Accommodation of the said Court House or to purchase the said Slip of Ground West of the Court House, or any Part thereof; and the Commissioners under the said Act of the Forty-seventh Year aforesaid, or any Five of them, are hereby authorized and empowered to concur with the Commissioners under the said Act of the Forty-sixth Year aforesaid, or any Three of them, as therein mentioned in all such Acts as shall be necessary for effectuating any such Sale, Exchange, or Purchase as aforesaid; and the Money arising from the Sale (if any) to be made by the Commissioners, under the said Act of the Forty-sixth Year aforesaid, by virtue of this present Power, shall be applied in the Manner herein-before directed, concerning the other Monies to be received by them by virtue of this Act, and that the Money arising from the Sale (if any) to be made in pursuance of this Act, by the Commissioners under the said Act of the Forty-seventh Year aforesaid shall be applied in the Manner thereby directed, concerning the Purchase Money to be received by them in pursuance thereof.

shall be requisite for the Accommodation of the Court House, etc.

VII. Provided always, and be it further enacted, That no Part of the Ground which may be sold or conveyed by, or exchanged from the Commissioners under the said Act of the Forty-sixth Year aforesaid, to the Commissioners under the said Act of the Forty-seventh Year aforesaid, shall at any Time hereafter be built upon or appropriated to any Purpose whatever, without the Consent in Writing of the Commissioners for the Time being, acting under the said Act of the Forty-sixth Year aforesaid.

Such Ground not to be built upon.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners, under the said Act of the Forty-sixth Year aforesaid, or any Three of them as therein mentioned, from Time to Time to cause the Roof and Walls of *Saint Margaret's* Church *Westminster*, and of the Vestry Room belonging thereto, to be repaired and finished under their Direction, in such Manner as the said Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, shall approve.

Saint Margaret's Church to be repaired.

IX. And be it further enacted, That (notwithstanding any Act or Acts now in force to the contrary) it shall be lawful for the said Commissioners, under the said Act of the Forty-sixth Year aforesaid, or any such Three of them as therein mentioned, to take down the Watchhouse and all other Buildings and Erections standing on the North Side of *Saint Margaret's* Churchyard aforesaid, next the *Broad Sanctuary*, and all or any Trees standing in any Part of the said Churchyard, and to dispose thereof, and of the Materials of all such Buildings and Erections: Provided always, that it shall not be lawful for the said Commissioners to take down the said Watchhouse until they shall have provided or built another proper and sufficient Watchhouse for the Use of the said Parish in lieu thereof.

Watchhouse and other Buildings on the North Side of Saint Margaret's Churchyard next the Broad Sanctuary to be taken down.

X. And be it further enacted, That it shall be lawful to and for the said Commissioners, or any Three or more of them, from Time to Time to enlarge, contract, or otherwise alter and take up, use, or dispose of the Paving Materials, of all or any of the Streets, Ways, and Passages in or adjoining

Commissioners may alter the Pavement, etc. and dispose of the Materials, and

may shut up Streets and make others.

adjoining to which any Ground, Houses, or Buildings, purchased or to be purchased or leased in pursuance of the said Act of the Forty-sixth Year aforesaid, or any of the Acts therein referred to, or of this Act, is or are situate, or to order and direct all or any of the same Streets, Ways, and Passages, to be shut up and disused by the Public, and to make any other Streets, Ways, or Passages as shall be thought expedient, and that all Streets, new Ways, and Passages which shall be made, and also all Streets, Ways, and Passages which shall be in any Manner altered by virtue of this Act, shall when so made or altered be maintained and kept in Repair by the Persons at present liable to repair the Streets or Places, in lieu of which such new Streets or Places shall be made or altered respectively; and that all Streets, Ways, and Passages which shall be so ordered to be shut up and disused, shall immediately, upon such Order being given, vest in the Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the time being, to be employed for the Purposes of the said Act of the Forty-sixth Year aforesaid, under the Directions and Regulations therein mentioned and contained, concerning the Ground to be purchased in pursuance thereof; and that it shall be lawful for the said Commissioners under the said Act of the Forty-sixth Year aforesaid, to relinquish all Right to such new Streets, Ways, and Passages as shall be made by virtue of this Act, for the Use of the Publick.

Streets shut up shall be vested in the Treasury.

On the Verdict of a Jury Judgement may be given by One Commissioner.

XI. And be it further enacted, That in all Cases whatsoever in which a Jury shall be summoned in pursuance of the Directions in that Behalf contained in the said Act of the Forty-sixth Year aforesaid, any One of the Commissioners under the same Act shall be competent to give Judgement upon the Verdict of any such Jury, and that such Judgement shall be equally binding and conclusive, as if the same were given by any Three or more of the same Commissioners, (any Thing contained in the said Act of the Forty-sixth Year aforesaid to the contrary notwithstanding.)

Deed Poll, dated July 7, 1807, declaring a Piece of Ground herein described, the Property of His Majesty, and used for placing an Iron Railing near the Abbey, recited, and confirmed.

XII. And whereas the said Dean and Chapter of *Westminster* lately ordered an Iron Railing to be erected for the better Preservation of *Westminster Abbey*, and King *Henry* the Seventh's Chapel, to commence at or from the North Transept of the said Abbey, running Eastward to the South End of *Saint Margaret's Street*, and from thence Southward along the Front of King *Henry* the Seventh's Chapel, and to be continued on the South Side thereof, and Part of which Railing was erected accordingly: And whereas it appearing to the Commissioners under the said Act of the Forty-sixth Year aforesaid, that a considerable Improvement might be made in the original Design for the aforesaid Iron Railing, by an Alteration to extend the same from the Eastern End of the said Chapel Northwards in Front or over Part of the Ground described in the Deed Poll herein-after recited, and which is vested in His Majesty for the Purposes of the said last mentioned Act, and then to turn Westward across such Ground, and to be continued in a direct Line to meet the Railing so in Part erected as aforesaid, and the said Dean and Chapter requested the said last mentioned Commissioners to consent to a Part of such Ground being allotted to or given up for such Purpose, with which Request the same Commissioners agreed to comply: And whereas the said Dean and Chapter by a Deed Poll under their Common Seal, bearing Date

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the Seventh Day of *July* One thousand eight hundred and seven, did for themselves and their Successors acknowledge and declare, that all that Piece or Parcel of Ground situate, lying, and being on the West Side of *Saint Margaret Street* in the Parish of *Saint Margaret*, within the Liberty of *Westminster*, containing in front from the Boundary Stone, marked G^{44}_{3}. at the South West Corner (which Corner is at the Extremity of Forty-three Feet Seven Inches from the Centre of the Eastern End of King *Henry* the Seventh's Chapel) to the Boundary Stone, also marked G^{44}_{3}. running Northwards Sixty-three Feet, at the North End in an oblique Line from the said Boundary Stone to the Boundary Stone in the Rear, marked G^{44}_{3}. Thirty-six Feet from such last mentioned Stone, to another towards the South in a straight Line Fifty-one Feet Six Inches, and from thence down to the said Southernmost Corner, Forty-one Feet Six Inches, and upon which or on some Part whereof lately stood Two Messuages or Dwelling Houses, belonging to the Board of Ordnance; and also Part of the Building used as the Ordnance Office, a Plan of which said Piece or Parcel of Ground containing the Admeasurement thereof, and other Particulars relating thereto, is drawn out on Part of the said Deed Poll, did of Right belong to, and should at all Times thereafter be deemed to be the absolute Property of His Majesty, His Heirs and Successors, and that the Possession of the same Ground had been relinquished and given up to the said Dean and Chapter, upon and subject to the express Condition, that if at any Time thereafter it should happen that any Sheep or Cattle should be kept, or any Nuisance or Annoyance should be committed or arise in, upon, or from any Part of the Ground situate between the North Transept of the said Church, West, and King *Henry* the Seventh's Chapel, and the said proposed Railing, North, or if the same, or any Part thereof should have any Graves or Grave Stones made or placed therein or thereupon, or should be otherwise disfigured, then and in any or either of the said Cases it should be lawful to revoke the aforesaid Consent of the said last mentioned Commissioners, on giving to the said Dean and Chapter Six Calendar Months Notice in Writing, and at the Expiration of the Time to be mentioned in such Notice, to re-enter upon and take and hold Possession or otherwise dispose of the Ground hereinbefore described, and given up in the same Manner as might or could have been done in case such Consent had never been given, or the Possession of the said Ground had never been relinquished for the Purposes aforesaid, they the said Dean and Chapter thereupon setting back the said Iron Railing along the North Boundary of the Ground belonging to the said Dean and Chapter; And whereas it is expedient that the Arrangement so agreed upon between the said Commissioners and the said Dean and Chapter, should be sanctioned by the Authority of Parliament: Now therefore be it enacted, That the said recited Deed Poll and the Agreement therein referred to, and all other Matters and Things contained therein, shall be, and the same are hereby absolutely ratified, confirmed, and established; and that it shall be lawful for the said Dean and Chapter and their Successors to retain the Possession of the said Piece or Parcel of Ground in the said Deed Poll particularly described, upon the Terms and subject to the Condition therein mentioned and contained.

XIII. And whereas a Piece or Parcel of Ground vested in His Majesty for the Purpose of the said recited Act of the Forty-sixth Year aforesaid, situate

The Piece of Ground lately added to the open Area of

Saint Margaret's Church and inclosed, to continue Par of the Church Yard.

situate on the South and North Sides, and at the East End of *Saint Margaret's* Church aforesaid, hath lately been added to the open Area of the Church and Church Yard of the Parish of *Saint Margaret* aforesaid, and now lies inclosed on the North Side of the said Church by an Iron Railing of the Height of Four Feet or thereabouts, and at the East End of the said Church by an Iron Railing of the Height of Five Feet Six Inches or thereabouts, which said Piece of Ground is duly set out by Metes and Bounds according to a Plan and Notice in Writing delivered to the said Dean and Chapter of *Westminster*, and the Churchwardens of the said Parish of *Saint Margaret, Westminster*, respectively, bearing Date the Fifth Day of *March* in the present Year One thousand eight hundred and eight; Now be it enacted, That the said last mentioned Piece or Parcel of Ground so inclosed as aforesaid shall for ever hereafter remain and continue Part of the Church Yard of the Parish of *Saint Margaret* aforesaid, but upon this express Condition nevertheless, that if the same Piece or Parcel of Ground, or any Part thereof, shall at any Time hereafter be broken, opened, or dug up, or in any other Manner disturbed, or otherwise used or appropriated without the Authority of His Majesty, His Heirs or Successors, then and in any such Case it shall be lawful for the Commissioners under the said Act of the Forty-sixth Year aforesaid, to re-enter upon and take Possession of the same Piece or Parcel of Ground, or otherwise dispose thereof, in the same Manner as might or could have been done if such Ground had never been added to the said Church Yard.

His Majesty empowered to appoint Commissioners in case of Vacancies.

XIV. And be it further enacted, That if all or any or either of the Nine Commissioners named in or appointed by or in pursuance or by virtue of the said Act of the Forty-sixth Year aforesaid, or of this Act, shall at any Time hereafter decline to act in the Execution of any of the Powers or Duties given to or imposed upon the said Commissioners under this Act, or the said Act of the Forty-sixth Year aforesaid, and shall signify the same by Writing under his or their Hand or Hands to the said Lord High Treasurer, or the Commissioners for executing the Office of Lord High Treasurer for the Time being, then it shall and may be lawful for His Majesty, His Heirs or Successors, from Time to Time, to appoint by Warrant under His or their Sign Manual for that Purpose, another or other Commissioner or Commissioners to be designated by Office or otherwise in the Place and Stead of the Commissioner or Commissioners so declining to act; and that such Commissioner or Commissioners so to be appointed shall have all the same Powers and Authorities for carrying the said several Acts above mentioned or referred unto, and of this Act into Execution, as if he or they had been originally appointed a Commissioner or Commissioners for executing the same respectively.

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