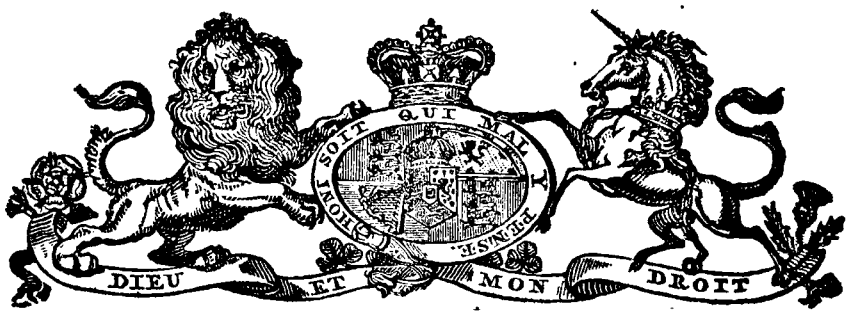


ANNO SEPTIMO

GEORGII IV. REGIS.

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Pall Mall East from the *King's Mews* to *Saint Martin's* Church, and from thence, in a South-easterly Direction, on the South Side of the said Church, to the North Side of the *Strand*, and to form an open Place or Square opposite *Charing Cross*, by widening the Communication between *Cockspur Street* and *Craven Street*, and to widen the *Strand* on the North Side thereof as far as *Castle Court*, and also *Saint Martin's Lane* South of *Hemming's Row* and *Chandos Street*, and to improve and widen the South Side of *Chandos Street*; and it would also be a great Accommodation and Improvement if the said Commissioners were authorized to widen *Downing Street* on the South Side thereof, and to widen the *Strand* on the North Side thereof opposite *Cecil Street*, in an Easterly Direction, to the East End of *Exeter Change*, and to widen *Bedford Street* at the South End thereof next the *Strand*, and also the Communication from the South End of *Spring Gardens* to *Whitehall* and *Charing Cross* in the Line of the Court called *Buckingham Court*, and also the Communication between *Saint James's Street* and *King Street* called *Little King Street*; all which several Streets and Places so to be made, altered, diverted, or improved, are or will be situate in the several Parishes of *Saint Martin-in-the-Fields*, the united Parishes of *Saint Margaret* and *Saint John the Evangelist*, *Saint James Westminster*, *Saint Paul Covent Garden*, and *Saint Clement Danes*, within the Liberty of *Westminster* in the County of *Middlesex*: But as such Improvements cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners named and appointed in and by the said recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third shall be and they are hereby authorized and empowered to make the several Improvements and Alterations herein-before mentioned, and to carry the Purposes of this Act into Execution, in manner herein-after mentioned; and all Acts, Matters, and Things authorized and necessary to be done and executed by the said Commissioners in pursuance of this Act, may be done and executed by any Two of them, and the same shall be as valid and effectual, and shall have the same Force and Effect, as if such Acts, Matters, and Things had been done and executed by all the said Commissioners.

Commissioners under the recited Act authorized to carry this Act into Execution.

II. And whereas Maps or Plans, describing the Lines of the Streets, Ways, Passages and Places, and the Ground and Premises through which the proposed Alterations and Improvements are to be made or carried, by virtue of this Act, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Premises, have been made, for the Purpose of being deposited at the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; be it therefore enacted, That the said Maps or Plans and Book of Reference, after the same shall have been authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited with and shall remain in the Custody of the said Commissioners of His Majesty's

Streets, &c. to be made according to the Maps or Plans deposited at the Office of the Commissioners of Woods, Forests, &c.

Woods, Forests, and Land Revenues; and one Copy thereof, signed by the Speaker of the House of Commons, shall be deposited in the Parliament Office; and one other Copy, so signed, shall be deposited with the Clerk of the Peace of the City and Liberty of *Westminster*, within Three Months from the passing of this Act, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Extracts or Copies thereof, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of the said Maps or Plans and Book of Reference; and that the said Commissioners for executing this Act for making the said Alterations and Improvements shall not deviate more than Twenty Yards of Three Feet each from the Lines described in the said Maps or Plans, without the Consent and Approbation, in Writing, of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Lands and Premises marked out in the Plans may be used, notwithstanding Errors in the Book of Reference.

III. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners for executing this Act to make the said proposed Alterations and Improvements into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is, are, or may be Owner or Owners of the Land or Premises over which the same is or are set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Middlesex*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Appointment of Officers.

IV. And be it further enacted, That the said Commissioners for executing this Act shall and may and they are hereby empowered from Time to Time to appoint a Secretary, Receiver or Receivers, Clerk or Clerks, and also such Officers and other Persons as they shall deem necessary to appoint in the Execution of this Act, and may from Time to Time remove such Secretary, Receivers, Clerks, Officers, and other Persons, or any of them, and appoint others in their Stead; and also shall and may, out of the Monies to be raised by virtue of this Act, allow to such Secretary, Receivers, Clerks, and other Officers, and such other Person and Persons as shall be assisting in or about the Execution of this Act, such Salaries or Allowances as to them the said Commissioners shall seem meet: Provided always, that the said Commissioners shall and may take such Security from any Officer or other Person to be appointed by virtue of this Act, for the due and faithful Execution of his Office, as they the said Commissioners shall think fit.

Commissioners empowered to make Streets, &c. and to stop up Car-

V. And be it further enacted, That it shall be lawful for the said Commissioners for executing this Act, and they are hereby authorized and empowered, by and with the Consent and Approbation in Writing of the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of

riageways whilst the same are making.

of Lord High Treasurer, or any Three or more of them, to cause the said Streets, Ways, Passages and Places, to be made, widened, altered, stopped up, repaired, paved and improved, into, through, across, or over the several Lands and Premises described in such Map or Plan and Book of Reference, and in conformity to the Lines described in such Maps or Plans, and to such Deviation therefrom as herein mentioned; and for such Purpose it shall be lawful for the said Commissioners acting in the Execution of this Act, and for their Surveyor or Surveyors, Officers or Workmen, with or without Carriages and Cattle, from Time to Time to enter upon the Messuages or Tenements, Lands and Premises, through which or whereupon the said Streets, Ways, Passages, and Places, Alterations or Improvements hereby authorized to be made, is or are intended to pass or be made, in such Manner as the said Commissioners acting in the Execution of this Act shall think necessary or proper, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment for entering or continuing upon any Part or Parts of such Lands and Premises, for the Damages that shall be thereby occasioned; and the said Commissioners acting in the Execution of this Act shall, and they are hereby authorized and empowered, during the making of the said Alterations or Improvements, to stop up all or any Part of the Carriageways of the said Streets and other Places, and for that Purpose to put up sufficient Palisadoes, Bars, Posts, or other Erections, and to make such Orders regulating the Passage of all Carts, Carriages, and Horses through the same, as to them the said Commissioners shall seem fit and proper; and that the sole Power and Authority of paving, repairing, cleansing, lighting, and watching all the Streets, new Ways, and Places which shall be made, or which shall be in any Manner altered by virtue of this Act, shall, when the same shall be so made or altered, be vested in, and such Streets, Ways, or Passages, for all the Purposes of paving, repairing, cleansing, lighting, and watching the same, shall be, remain, and continue under the Care, Management, Controul, and Jurisdiction of the same Commissioners, Trustees, or other Persons, as the Streets, Ways, or Places, in lieu of which such new Streets, Ways, or Places shall be made or altered respectively, now are or would have been if this present Act had not been passed.

Proviso to prevent Streets being wholly stopped up.

VI. Provided always, and be it further enacted, That no Street not designed, by the Plan herein-before referred to, to be ultimately stopped up, shall be at any Time wholly stopped up, but that sufficient Room shall be at all Times left for the free Passage of Carts, Carriages, Cattle, and Foot Passengers.

Commissioners empowered to purchase Lands and Buildings for the Purposes of this Act.

VII. And be it further enacted, That for the Purpose of making, widening, improving, and rendering more commodious the said Streets, Ways, Passages, and Places, it shall be lawful for the said Commissioners acting in the Execution of this Act, and they are hereby authorized and empowered, when they shall deem it necessary, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, to treat and agree

agree for the Purchase of any of the Houses, Buildings, Erections, Ground, Tenements, and Hereditaments described or comprised in the said Maps or Plans and Book of Reference, or in such Deviation as herein-before mentioned, and of any subsisting Leases, Terms, Estates, and Interests therein, or Charges thereon, which the said Commissioners for executing this Act may, by and with such Consent and Approbation as aforesaid, deem necessary or expedient to be purchased for the Purposes of this Act: Provided always, that the said Commissioners shall not be compelled to purchase the whole of the Space coloured on the said Plans as being within the Powers of Purchase limited by this Act.

Limiting the Time for purchasing Houses, &c.

VIII. And be it further enacted, That if the said Commissioners shall not within the Space of Seven Years, to be computed from the passing of this Act, purchase or cause to be valued as herein-after mentioned, all and every such Houses, Buildings, Erections, Ground, Tenements, and Hereditaments, which they are hereby authorized and empowered to purchase as aforesaid, and pay the Consideration Money, or Money awarded for the same respectively, in manner directed by this Act, then and from thenceforth those Powers which are hereby granted to them for such Purpose only, shall cease, determine, and be utterly void.

Bodies Politic, &c. empowered to treat for Sale and Exchange of Houses, &c.

IX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or for Years or in Tail, Husbands, Guardians, Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees or Persons whomsoever, not only for and on behalf of themselves, their Heirs and Executors or Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, or Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised or possessed or interested in their own Right, or entitled to Dower or other Interest therein, and for every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any such Houses, Erections, Buildings, Lands, Tenements, and Hereditaments as aforesaid, to contract and agree for the Sale or Exchange of the same and every Part thereof; and all such Contracts, Agreements, Bargains, Sales, Exchanges, Conveyances, and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, so contracting and agreeing as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she, or they or any of them shall respectively make by virtue or in pursuance of this Act; and all such Contracts or Agreements for such Sales and Exchanges shall be made at the Costs and Expence of the said Commissioners for executing this Act; and all such Houses, Erections, Buildings, Lands, Tenements, and Hereditaments, which shall be so agreed to be purchased or exchanged as aforesaid, shall, when so purchased or ex-

exchanged, or agreed to be purchased or exchanged, and upon Tender or Payment in manner herein-after directed of the Sum or Sums of Money agreed to be paid for the same, be vested in His Majesty, His Heirs and Successors, who shall thenceforth be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever, freed and discharged from all other and former Estates, Rights, Titles, Interests, Claims, and Demands whatsoever, and the same shall be employed and made use of for the Purposes of this Act, according to the Directions of the Commissioners for executing this Act, and under the Regulations in this Act mentioned and contained.

Lands, &c. conveyed in Exchange to be settled to the like Uses as Lands taken.

X. And be it further enacted, That any Houses, Buildings, Lands, Tenements, or Hereditaments, which under the Powers in this Act contained shall be conveyed in Exchange for any Premises mentioned and described in the said Map or Plan and Schedule which shall be taken for the Purposes of this Act, and shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose thereof, shall, when so conveyed, stand and be settled and limited to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and shall be subject to the same Powers of leasing, or other Powers, and in the same Manner as the Premises so taken as aforesaid stood settled, limited, or subject, or such of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking Effect.

Commissioners may contract for taking down Houses, and selling Materials thereof.

XI. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners for executing this Act, from Time to Time to direct or contract for the taking down any Houses or Buildings to be purchased or made use of for the Purposes of this Act; and all such Materials, and the Money arising from the Sale thereof, shall be and are hereby vested in the said Commissioners for executing this Act; and all such Money (after paying and deducting the necessary Expences of pulling down such Houses and Buildings, and of the Sale of the Materials thereof,) shall and may be applied and disposed of under the Directions of the said Commissioners, for any of the Purposes of this Act.

How Damages are to be assessed in case of Disagreement.

XII. And be it further enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Trustees, Femes Covert, or any other Person or Persons seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, which the said Commissioners for executing this Act are hereby empowered to purchase, take, and use for the Purposes of this Act, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners for executing this Act, or with the Person or Persons authorized by them for the Sale and Disposal of their respective Estates and In-

terests therein, or cannot be found or known, or shall not produce and evince a clear Title to the Premises they may be in the Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners, or of the Person or Persons authorized by them, then and in every or any such Case, the High Bailiff of the City and Liberty of *Westminster*, or his Deputy, as the Case may be, or in case such High Bailiff or his Deputy shall be anywise interested in the Matter in question, then some one of the Coroners of the County of *Middlesex* not interested therein, shall, upon the Warrant of the said Commissioners for executing this Act, in manner herein-after mentioned, and he and they is and are hereby required and authorized to cause it to be inquired into and ascertained upon the Oaths of a Jury of Twelve indifferent Men of the said City of *Westminster* (which Oaths the said High Bailiff or Deputy, or Coroner, is and are hereby empowered and required to administer), what Damages will be sustained by and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and also for Goodwill, Improvements, or any Injury or Damage whatsoever that may affect any such Person or Persons, Party or Parties, provided such Goodwill shall be estimated by what, in the Opinion of such Jury, the same would have been worth in case the Improvements intended by this Act had not been in contemplation, and also for or on account of the taking of such Houses, Buildings, Lands, Tenements, or Hereditaments, for the Purposes or under and by virtue of the Authority of this Act; and in order thereto, the said High Bailiff, Deputy, or Coroner is and are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whomsoever who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises (which Oath the said High Bailiff, Deputy, or Coroner is and are hereby empowered to administer); and such High Bailiff, Deputy, or Coroner respectively, shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the said Jury's better Information in the Premises, as the said High Bailiff, Deputy, or Coroner shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said High Bailiff, Deputy, or Coroner shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Commissioners for executing this Act to the said Owners or Occupiers of or other Persons interested therein, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition and Order, so had and made, shall be final, binding, and conclusive,

clusive, to all Intents and Purposes, upon and against all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Parties and Persons whomsoever; and for the summoning and returning of such Jury or Juries, the said Commissioners for executing this Act are hereby empowered to issue their Warrant or Warrants to the said High Bailiff, Deputy, or Coroner, to summon, impannel, and return, at some convenient Place in the said City of *Westminster*, a Jury of not less than Thirty-six or more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said High Bailiff, Deputy, or Coroner at such Time and Place as in such Warrant shall be appointed, and Fourteen Days Notice at the least in Writing under the Hands of the said Commissioners for executing this Act, or under the Hand of their Secretary, of the Time and Place at which such Jury are so required to be returned, shall be given to such Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in the Premises, before the Time of the Meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and the said High Bailiff, Deputy, or Coroner is and are hereby empowered to impannel, summon, and return such Number accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said High Bailiff, Deputy, or Coroner shall swear or cause to be sworn Twelve who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said High Bailiff, Deputy, or Coroner shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard, and to adduce Evidence before the said High Bailiff, Deputy, or Coroner respectively; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Particulars of Compensation claimed for Loss or Damages to be delivered to the Commissioners within Three Months.

XIII. And be it further enacted, That no Jury to be summoned by virtue of this Act shall be allowed to assess or award any Sum or Sums of Money to any Person or Persons, by way of Compensation for Goodwill or Improvements alledged to have been lost, or any Injury or Damage alledged to have been sustained by him or them, by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, unless Notice in Writing, stating the Particulars of every such Claim, shall have been given by and on behalf of such Person or Persons to the said Commissioners for executing this Act, or to their Secretary, within Three Calendar Months next after such supposed Loss shall have been incurred, or such supposed Damage or Injury shall have been occasioned or sustained, and Ten Days at least before the Time of the Meeting of such Jury.

XIV. And

XIV. And be it further enacted, That if the High Bailiff, Deputy or Coroner, so directed to summon and return a Jury as aforesaid, shall make Default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act; or if any Person so summoned as a Witness shall not appear, or appearing shall refuse to be examined, or to give Evidence; any Person so offending, having no reasonable Excuse to be allowed by the Justices herein-after mentioned, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied by virtue of any Warrant under the Hand and Seal of any One of His Majesty's Justices of the Peace for the City of *Westminster*, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him or her the Overplus, after such Penalty and the Charges of such Distress and Sale shall be deducted.

Penalty on High Bailiff, Jury, and Witnesses, for Neglect of Duty.

XV. And be it further enacted, That in case any Jury to be summoned and sworn pursuant to the Authority of this Act shall give in a Verdict or Assessment for more Money, as a Recompence, Compensation, or Satisfaction for the Right, Interest, or Property of any Person or Persons in any such Houses, Buildings, Lands, Tenements, or Hereditaments, or for any such Goodwill, Improvements, Injury, or Damage as aforesaid, than shall have been agreed to be given and offered for the same by the said Commissioners for executing this Act, before the summoning and returning of such Jury; or where, by reason of Absence in Foreign Countries, or other Incapacity or Disability as aforesaid, there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners; then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompence, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the High Bailiff, Deputy, or Coroner, before whom such Claim shall have been tried, and shall be paid by the said Commissioners out of the Monies which shall arise by virtue of this Act; but if any Jury so summoned and sworn as aforesaid shall give in a Verdict or Assessment for no more or for less Money, as such Recompence, Compensation, or Satisfaction as aforesaid, than shall have been agreed to and offered by the said Commissioners for the same before the summoning and returning of the said Jury; or in case no Damages shall be given by the Verdict where the Dispute is for Damages only; or where the causing and procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners for executing this Act, by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever, who is or are, by the Provisions of this Act or otherwise, legally empowered to treat; then (except where by reason of Absence such Person shall be prevented from treating with such Commissioners) all such Costs, Charges, and Expences, (to be settled by such High Bailiff, Deputy, or Coroner, in manner aforesaid) shall be paid in manner following; (that is to say,) one Moiety or Half Part of such Costs and Expences shall be borne and paid by

Expences of Juries how to be paid.

the said Commissioners, and the other Moiety by the said Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons so claiming such Compensation, or refusing to treat and agree as before mentioned respectively, (save only and except where by reason of Absence or other like Cause any Person shall have been prevented from treating or agreeing as aforesaid, in which Case no Costs, Charges, or Expences shall be allowed to either Party as against the other); and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners for executing this Act, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them, as so much Money advanced to and for the Use of the Person and Persons entitled to such Money so adjudged; and Payment or Tender of the Remainder of such Money shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed; or in case no Money, or no sufficient Sum of Money, shall be awarded or assessed to be paid by the said Commissioners, whereout such Costs, Charges, and Expences can be deducted, then the same shall and may be recovered by such Ways and Means as are herein-after provided for the Recovery of Penalties, Forfeitures, and Fines by this Act imposed or authorized to be imposed.

Verdicts to be recorded.

XVI. And be it further enacted, That a Minute or Docquet of all the said Judgments and Verdicts shall be recorded in the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said City and Liberty of *Westminster*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said City and Liberty, and shall be deemed to be Records to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so in proportion for any less Number of Words.

Commissioners may purchase the Whole of Premises from Owners unwilling to sell Part.

XVII. And be it further enacted, That if in any Case the Owner or Owners of any House or Building, or of any Yard or Curtilage occupied therewith, Part only of which Premises shall at any Time be required by the said Commissioners for executing this Act to be applied for the Purposes of this Act, shall be unwilling to sell or dispose of such Part only of such House, Building, Yard, or Curtilage as shall be required by the said Commissioners, it shall and may be lawful for the said Commissioners executing this Act, and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage, to purchase of and from the said Owner or Owners the Whole or such Part thereof as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall see fit, for the Purposes of this Act; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for executing this Act, for the Price to be paid for the Purchase of the Whole of such House, Building, Yard,

or Curtilage, then the Value thereof shall be settled and ascertained by a Jury, in such Manner as the Price for any Land to be taken in pursuance of this Act is directed to be settled and ascertained; and all such other Proceedings shall take place respecting the said Premises as are herein-before mentioned and directed with respect to the Premises the Value of which shall be ascertained by a Jury in manner aforesaid.

Money to be paid before any Use is made of the Premises.

XVIII. Provided always, and be it further enacted, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be made or paid pursuant to any such Agreement or Verdict as aforesaid, shall be paid or tendered to the Party or Parties entitled to the same, or into the Bank of *England* as herein mentioned, before the said Commissioners, or any Person or Persons authorized by them, shall proceed to take Possession, or pull down any House or Houses, or other Erections or Buildings comprised in or affected by such Agreement or Verdict respectively, or to use the Ground for any of the Purposes of this Act.

Power to enter and take Possession of Houses, &c. on Payment or Tender of Purchase Money.

XIX. And be it further enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Tenements or Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, as aforesaid, cannot be found, or shall not be known, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners acting in the Execution of this Act, or shall refuse to execute a Conveyance or Conveyances thereof, then and in any of such Cases, upon Payment of such Sum or Sums of Money as shall have been contracted and agreed, or shall have been assessed and awarded by any Referee or Referees, or by any Jury or Juries, in manner aforesaid, to be paid for the Purchase of or for the Value of the same Premises, into the Bank of *England*, as herein-after directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested in or entitled as aforesaid, such Tenements or Hereditaments, or Parts, Shares, Estates, Interests, or Charges, and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Body or Bodies, Person or Persons, or unknown Person or Persons, to whose Credit such Money shall be paid, in, to, and out of the Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in His Majesty, His Heirs and Successors, who shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, and Interests, Claims and Demands, as fully and effectually as if every Body or Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, or any other Conveyance or Assurance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Claim and Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, or to the same Premises, to whose Credit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower and Dowers

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of the Wife and Wives of such Person or Persons, and all Estates Tail and other Estates in Possession, Reversion, Remainder, Expectancy, or Contingency, and the Issue and Issues of such Person or Persons, and every other Person whomsoever; and the same Premises shall and may be thereupon pulled down, made use of, and employed for the Purposes of this Act, according to the Directions of the said Commissioners for executing the same, and under the Regulations in this Act mentioned and contained.

Commissioners empowered to sell, exchange, or lease Premises not wanted for the Purposes of this Act.

XX. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the said Office of Lord High Treasurer, or any Three or more of them, absolutely to sell and dispose of all or any Part of the Houses, Buildings, Lands, Tenements, and Hereditaments of or belonging to His Majesty, His Heirs or Successors, in the Lines of the said Streets and Places respectively to be erected and built, altered, repaired, and improved under or by virtue of this Act, or which shall be so purchased or acquired as aforesaid, and shall not be wanted for the Purposes of this Act; and also to convey in exchange, with such Consent and Approbation as aforesaid, all or any Part of the Houses, Buildings, Lands, Tenements, or Hereditaments of or belonging to His Majesty, His Heirs or Successors, situate within any or either of the Parishes through which the said Streets and Places respectively to be erected and built, altered, stopped up, repaired, or improved under or by virtue of this Act, extend, or which shall have been purchased and taken in exchange under the Authority of this Act, and which shall not be wanted for the Purposes of the said Act, in lieu of and in exchange for any other Houses, Buildings, Lands, Tenements, and Hereditaments which shall be wanted for the Purposes of this Act, or with a View to the Acquisition by Exchange of any other Houses, Buildings, Lands, Tenements, and Hereditaments which may be required for the immediate Purposes of the said Act; and also to demise or lease, or previous to any such Demise or Lease to enter into any Contract or Agreement for the demising or leasing, all or any Part of such Houses, Buildings, Lands, Tenements, and Hereditaments of or belonging to His Majesty as aforesaid, to any Person or Persons, for any Term of Years not exceeding Ninety-nine Years for the making thereof, at such Rent or Rents, and under such Covenants, Conditions, Clauses, and Restrictions, and in such Manner as the said Commissioners for executing this Act shall from Time to Time, with such Consent and Approbation as aforesaid, judge proper, either wholly or in part, in lieu of or in exchange for any Lease or Leases, Assignment or Assignments of any other Houses, Buildings, Lands, Tenements, or Hereditaments which shall be wanted for the Purposes of the said Act, and in which said Houses, Buildings, Lands, Tenements, and Hereditaments so wanted, the Person or Persons treating for such Exchange may have only a leasehold or some other limited Interest; and also to demise or lease, or previous to any such Demise or Lease to enter into any Contract or Agreement for the demising or leasing, with such Consent and Approbation as aforesaid, all or any Part of the Houses, Buildings, Lands, Tenements, and Hereditaments to be purchased, erected,

erected, built, altered, repaired, and improved under or by virtue of this Act, for any Term or Terms of Years not exceeding Ninety-nine Years from the making thereof, at such Rent or Rents, and under such Covenants, Conditions, Clauses, and Restrictions, and in such Manner as the said Commissioners for executing this Act shall from Time to Time, with such Consent and Approbation as aforesaid, judge proper and think most advantageous, and to receive and take any Fine or Fines for the granting of such Leases, and to apply all such Fines to the Purposes of this Act; and all Conveyances, Exchanges, and Leases which shall be made by the said Commissioners for executing this Act, of any of the said Houses and Buildings, Lands, Tenements, and Hereditaments, may be made according to the Forms set forth in the Schedule to the said recited Act of the Fifty-third Year of the Reign of His said late Majesty annexed, or as near thereto and the Circumstances of the Case will admit; and all such Conveyances, Exchanges, and Leases shall be good, valid, and effectual, any Provisions, Restrictions, or Clauses contained in any Act or Acts of Parliament relating to His Majesty's Land Revenues, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Practice, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Application of Purchase Money exceeding 200*l*.

XXI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Houses, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest of what Nature or Kind soever, purchased, taken, or used by virtue of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose of the Premises by the Sale of which such Money shall be produced, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the said Commissioners for executing this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing the Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon the Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts or such other Incumbrances or Part thereof as the said Court shall authorize to

1 G. 4. c. 35.

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be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where under 200*l.* and not less than 20*l.*

XXII. Provided also, and be it further enacted, That if any Money so agreed or assessed to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Body or Bodies, Person or Persons making such Option, and approved of by the said Commissioners for executing this Act, such Nomination and Approbation to be signified in Writing under the Hands and Seals of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner hereinbefore

directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application where the Money is under 20*l.*

XXIII. Provided always, and be it further enacted, That where such Money so agreed and assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, Parts, Shares, Estates, Interests, and Charges, so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners for executing this Act shall think fit; or in case of the Infancy or Lunacy of such Person or Persons, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Title, or if Persons can not be found, Purchase Money to be paid into the Bank.

XXIV. And be it further enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be awarded by any Referee or Referees, or Umpire, or by any Jury or Juries, for the Purchase of any Tenements or Hereditaments, or any Parts, Shares, Estates, or Interests therein, or Charge thereon, to be purchased, taken, or used for the Purposes of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners for executing this Act, or shall refuse to execute a Conveyance or Assignment thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, be not known or discovered, then and in every such Case it shall and may be lawful for the said Commissioners for executing this Act to pay the said Sum or Sums of Money so awarded or agreed to be paid as aforesaid, into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Tenements or Hereditaments, Parts, Shares, Estates, Interests, or Charges, [describing such Tenements or Hereditaments,] but if such Party or Parties shall not be known, then to the Credit of the said Commissioners, subject to the Order, Controul, or Disposition of the said Court of Exchequer; which said Court, on the Application of any Body or Bodies, Person or Persons, making claim to any such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and the same is hereby empowered, in a summary Way of Proceeding or otherwise, as the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Body or Bodies, Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt

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or Receipts for such Sum or Sums of Money, mentioning and specifying for what the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Persons in Possession shall be deemed entitled, unless the contrary be shewn.

XXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest into or upon any Tenements or Hereditaments to be purchased or taken in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in the Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

The Court may order reasonable Expences to be paid by the Commissioners.

XXVI. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Body or Bodies, Trustee or Trustees, Corporation, or other Person or Persons entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Commissioners for executing this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXVII. And

Delivery of Possession by Tenants at Will, &c.

XXVII. And be it further enacted, That every Tenant at Will or Lessee for a Year, or any other Person or Persons in Possession of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in the said Commissioners for carrying this Act into Execution for the Purposes thereof, who shall have no greater Interest in the Premises than as Tenant at Will or Lessee for a Year or from Year to Year, shall, at the End of Six Calendar Months next after Notice in Writing, signed by the said Commissioners or their Secretary, shall have been given to him, her, or them, or left at the Premises which are the Subject of such Notice, and whether such Notice be given with reference to the Time or Times of such Tenant's holding or not, quit and relinquish the said Premises unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession thereof; and in case any such Lessee shall be compelled to quit before the Expiration of his or her Term or Interest in any such Premises, then and in such Case the said Commissioners shall give Satisfaction and Compensation for the Loss or Damage which he or she shall sustain thereby; and in case of Difference as to the Amount of such Satisfaction or Compensation, the same shall or may be settled and ascertained by a Jury, in the same Manner as the Sums of Money to be paid for the Purchase of any Lands or Hereditaments are herein-before directed to be ascertained; and that all and every Person or Persons, Bodies Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, in Possession of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part of any Houses, Buildings, Lands, Tenements, or Hereditaments which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in them for any of the Purposes of this Act, shall, upon Payment or Tender as aforesaid of such Recompence or Satisfaction for any of his, her, or their Term, Estate, or Interest in the Premises, as shall be mutually agreed upon, or as shall be settled, ascertained, and awarded by any Referee or Referees, or Umpire, or by the Verdict or Inquisition of a Jury, in manner aforesaid, quit and relinquish the said Premises so in their respective Possessions unto the said Commissioners, or to such Person or Persons as shall be by them authorized to receive Possession of the same; and all the Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Person or Persons shall hold the said Premises, shall at and from the End and Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, be absolutely void and of none Effect as against the said Commissioners; and if any such Tenant at Will or Lessee, or other Person or Persons, Bodies Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, as aforesaid, shall refuse or neglect to deliver up the Premises in his, her, or their Possession, at the Expiration of such Six Calendar Months, or upon such Payment or Tender as aforesaid, it shall be lawful for any Justice of the Peace for the City and Liberty of *Westminster* to issue his Precept or Warrant to the Constables of the said City and Liberty of *Westminster* for the Time being, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them,

them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on behalf of such Commissioners; and the said Constables and every of them are and is thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Commissioners may take the Burial Ground of St. Martin in the Fields.

XXVIII. And be it further enacted, That it shall and may be lawful for the said Commissioners acting in the Execution of this Act to take or use, for the Purposes of this Act, so much of the Burial Ground of the Parish of *Saint Martin in the Fields* as lies on the South Side of the said Church, as may be required for the Purpose; and the Ground so taken, and the Fee Simple and Inheritance thereof, shall be and are hereby vested in the King's Majesty, His Heirs and Successors, for the Purposes of this Act.

Commissioners to provide a new Burial Ground.

XXIX. And be it further enacted, That the said Commissioners acting in Execution of this Act shall be and are hereby empowered and required, out of the Monies to be applied for the Purposes of this Act, to purchase or otherwise provide a Piece or Parcel of Ground, to be approved by the Lord Bishop of *London* and the Vicar of the Parish of *Saint Martin in the Fields* for the Time being, to be appropriated in enlarging that Part of the present Burial Ground as is situated on the North and East Sides of the said Church, such additional Ground to be used as and for a Burial Ground for the Parishioners of the said Parish of *Saint Martin in the Fields*, and to procure the same to be consecrated and settled for that Purpose, in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct; and to cause such Burial Ground to be made under Pavement, and inclosed in such Manner as the Lord Bishop of *London* and the Vicar of the said Parish of *Saint Martin in the Fields* for the Time being shall approve; and the said Commissioners shall cause a proper Gate or Gates to be erected as an Entrance thereto, with Locks and other Fastenings; and such new Burial Ground, and the Soil thereof, and the Freehold and Inheritance of the same in Fee Simple, shall be vested in the same Manner, and shall be subject to the same peculiar Jurisdictions and Visitations, as the present Burial Ground of the Parish of *Saint Martin in the Fields*.

The Graves to be disturbed as little as may be.

XXX. And be it further enacted, That the Graves in the present Burial Ground of the Parish of *Saint Martin in the Fields*, on the South Side of the said Church aforesaid, shall be as little disturbed, and as little Damage shall be done to the Grave Stones therein, as reasonably may be.

Bodies disturbed to be removed.

XXXI. And be it further enacted, That whenever it shall be necessary, in pursuance and execution of this Act, to open or disturb any Grave or Graves, or any Burial Vault or Vaults, in the said present Burial Ground of the Parish of *Saint Martin in the Fields*, on the South Side of the said Church aforesaid, it shall be lawful for the Heirs, Executors, Administrators, Relations, or Friends of any Person or Persons who shall have been interred or deposited in such

Grave or Graves, Vault or Vaults, with the Consent of the Vicar and Churchwardens of the said Parish, or the major Part of them, to remove and carry away the Remains of any such Person or Persons, and place the same in such new Burial Ground, or any other Churchyard or consecrated Ground, in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he may appoint, shall direct; and that the Expences of such removing, carrying away, and placing (not exceeding in any one Case the Sum of Ten Pounds), shall be paid by the said Commissioners acting in the Execution of this Act, out of the Monies to be applied for the Purposes of this Act; and that the Remains of such Person or Persons as shall have been interred or deposited in the Graves or Vaults so to be opened and disturbed as aforesaid, which shall not be removed or carried away as aforesaid, shall (except such Graves or Vaults shall be finally closed up), at the Expence of the said Commissioners acting in the Execution of this Act, to be paid out of the Monies to be raised by virtue of this Act, be removed from such Graves or Vaults into and be interred in such new Burial Ground as aforesaid, in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct.

Grave Stones to be removed.

XXXII. And be it further enacted, That the Grave Stones laid in the said Burial Ground of the Parish of *Saint Martin in the Fields* on the South Side of the said Church, shall be removed into, and put up and laid in such new Burial Ground as aforesaid, in such Manner as the Lord Bishop of *London* for the Time being, or such Person as he shall appoint, shall direct, and the Expence thereof defrayed by the said Commissioners acting in the Execution of this Act, out of the Monies to be raised by virtue of this Act.

Commissioners may contract with the Vicar of St. Martin in the Fields for the Conveyance of certain Messuages belonging to the said Vicarage, in exchange for Messuages belonging to the Crown.

XXXIII. And whereas the Vicar of the said Parish of *Saint Martin in the Fields* is seised and possessed of Eleven Messuages or Dwelling Houses, with their Appurtenances, situate, lying, and being in *Saint Martin's Lane*, and the Churchyard of and in the said Parish of *Saint Martin in the Fields* aforesaid, belonging to the said Vicarage, and Part of the Glebe thereof, Ten of which said Messuages or Dwelling Houses are subject to Leases granted thereof by the said Vicar or his Predecessors for Terms of Forty Years, commencing at different Periods, renewable at the End of every Fourteen Years, under certain annual Rents, amounting together to the Sum of Sixty Pounds or thereabouts; and the other of the said Messuages or Dwelling Houses is now in the Occupation of the said Vicar: And whereas the said several Messuages or Dwelling Houses, with their Appurtenances, are Part of the Premises described in the herein-before mentioned Plan, and the same being required to carry into effect and complete the Improvements herein-before mentioned, the said Commissioners for executing this Act have agreed with the said Vicar, by and with the Consent and Approbation of the Lord Bishop of *London*, for a Conveyance to be made to the said Commissioners of all the Right, Title, and Interest of the said Vicar in and to the several Messuages or Dwelling Houses and Premises herein-before mentioned, in exchange for a Conveyance by the said Commissioners on the Part of His Majesty, His Heirs and Successors, to the said Vicar and

and his Successors, of Freehold Messuages or Dwelling Houses, Buildings and Premises, belonging to the Crown, situate within the Cities of *London* or *Westminster*, the same being of equal Rent and Value; be it therefore enacted, That it shall and may be lawful for the said Commissioners for executing this Act, and for the Vicar of the said Parish of *Saint Martin in the Fields* for the Time being, to contract and agree for a Conveyance to the said Commissioners of all the Right, Title, and Interest of the said Vicar in and to the said Eleven several Messuages or Dwelling Houses, with the Appurtenances, so vested in him as aforesaid, in exchange for a Conveyance by the said Commissioners, on the Part of His Majesty, His Heirs or Successors, to the said Vicar and his Successors, of Freehold Messuages or Dwelling Houses and Hereditaments belonging to the Crown, situate and being in the said Cities of *London* and *Westminster*, or one of them, of equal Rent and Value; and the said last-mentioned Messuages or Dwelling Houses and Premises shall, when so conveyed as aforesaid, be held by the said Vicar and his Successors, to, for, and upon, and under and subject to such and the same Trusts, Ends, Intents, and Purposes, as the said several Messuages or Dwelling Houses and Hereditaments so to be conveyed by him to the said Commissioners, in exchange as aforesaid, are now subject to; provided, that it shall not be lawful for the said Vicar and his Successors at any Time hereafter to grant any Lease or Leases of the said several Messuages or Dwelling Houses and Hereditaments so to be conveyed to the said Vicar in exchange as aforesaid, or any of them, without reserving to the said Vicar and his Successors for the Time being for ever such clear annual Rent or Rents as shall be equal to One Moiety or Half Part at least of the gross yearly Value of the Premises to be comprised in and demised by such Lease or Leases; such Rents or Rent to be made payable to the Vicar of the said Parish and his Successors during the whole Term or Time of the Continuance of such Lease or Leases respectively.

No Lease to be granted by the Vicar, of such Messuages, without reserving a Rent equal to Half the Value.

Churchwardens may place a Bar or Chain across the West End of the new Street during Divine Service on Sundays, &c.

XXXIV. Provided always, and be it further enacted, That it shall and may be lawful to and for the Churchwardens of the Parish of *Saint Martin in the Fields* aforesaid, and they are hereby authorized and empowered, to place or cause to be placed a Bar or Chain extending across the Carriageway at the West End of the said new Street to be made on the South Side of the said Church as aforesaid, in order to prevent Noise by the passing and repassing of Carriages along the said Street during the Time of Divine Service on *Sundays*, and on *Christmas Day*, *Good Friday*, and Fast or Thanksgiving Days by Proclamation; provided that such Bar or Chain shall not be used at any other Time or Times than during the Time of Divine Service as aforesaid.

Commissioners may take down the Workhouse, Schools, &c. and rebuild them elsewhere.

XXXV. And be it further enacted, That if the said Commissioners for carrying this Act into Execution shall deem it necessary and expedient, for the Purpose of making the Alterations and Improvements herein-before in this Act mentioned, to take down and remove the Workhouse, Parochial School, and Library and Free School thereto adjoining, on the West Side of *Saint Martin's Lane*, and South Side of *Hemming's Row* aforesaid, and the Watch-house belonging to

the said Parish of *Saint Martin-in-the-Fields*, and the Vestry Room and Sexton's Office adjoining the said Parish Church, or any or either of them, and to rebuild the same, or any or either of them, in different Situations and Positions, then and in such Case the same Commissioners shall be and they are hereby authorized and empowered, at such Time or Times as they shall think proper, to take down the said Workhouse, Parochial School, Library and Free School, Vestry Room, Sexton's Office, and Watch-house respectively, or any of them: Provided always, that it shall not be lawful for the said Commissioners to take down all or any of such Parochial Buildings until they shall have provided proper Sites and erected other Buildings of the like Description in lieu thereof, for the Use of the said Parish.

Such Buildings not to be taken down until others are provided.

XXXVI. And be it further enacted, That the said Commissioners for effecting the Purposes of this Act shall and may, with and out of the Monies to be raised by virtue hereof, provide a proper Site or Sites of at least equal Extent and Dimensions as the present Sites and Areas of the said Parochial Buildings, as may be most fit and convenient, and as shall be approved by the Vicar and Churchwardens of the said Parish for the Time being, with the Consent of the Vestrymen of the said Parish, to be expressed by a Minute in their Order Books, upon some Part of the Ground which shall become vested in His Majesty by virtue of this Act, or shall be provided for this Purpose in the said Parish of *Saint Martin*, and shall cause or procure to be erected and substantially built upon such Sites a new and convenient Workhouse, Parochial School, Library, and Free School, Vestry Room, Sexton's Office, and Watch-house, or such and so many of them as shall be by the said Commissioners intended to be so taken down and removed as aforesaid, of at least equal Dimensions with the present Buildings and their Areas respectively, and shall cause the same to be completed, finished, and fitted up upon such Plans and in such Manner as shall be approved of from Time to Time by the Authority and in manner aforesaid, and to be for ever thereafter used and appropriated in such and the like Manner, and for such and the like Purposes, as the present Parochial Buildings and their Areas are and have been used and enjoyed; and all the Costs, Charges, and Expences attendant upon and arising from the Removal of the Inmates, Stores, Goods, and Fixtures from the old to the new Workhouse, Parochial School, and other Buildings, shall be paid, borne, and discharged by the said Commissioners for carrying this Act into Execution, by and out of the Monies to be raised by them for the Purposes of this Act.

Commissioners may erect a new Workhouse and other Parochial Buildings, to be used as the present Parochial Buildings are.

XXXVII. And be it further enacted, That from and immediately after such new Workhouse, Parochial School, Library, and Free School, Vestry Room, Sexton's Office, and Watch-house, or any of them, shall have been respectively erected and finished as aforesaid, the same several Buildings, and the Ground whereon the same shall be erected and built, shall be and become vested, by virtue of this present Act, in the Person or Persons, Body or Bodies Corporate, his, her, or their Heirs or Successors, in whom the Buildings in lieu of which the same shall be respectively erected and built would have been vested in case this

Such new Buildings to be vested in the same Persons as the present Buildings are;

and the old Buildings to be vested in His Majesty for the Purposes of this Act.

this present Act had not been passed; and that, after such new Parochial Buildings shall be completed, the present Workhouse, Parochial School, Library, and Free School, Vestry Room, Sexton's Office, and Watch-house of the said Parish, or such of them in lieu of which such new Buildings shall be erected and built as aforesaid, shall thereupon be and become vested in the King's Majesty, His Heirs and Successors, for ever, and shall and may be taken down, made use of, and employed for the Purposes of this Act, according to the Directions of the said Commissioners for executing the same, and under the Regulations in this Act mentioned and contained.

Buildings erected on the Site of the present Workhouse to be rateable as other Buildings.

XXXVIII. Provided also, and it is hereby further enacted, That all Erections and Buildings which may be hereafter erected and built on the Site of the said Workhouse, Parochial School, Library, and Free School, Vestry Room, Sexton's Office, and Watch-house, or such of them as shall be so taken down as aforesaid, shall be subject and liable to such and the same Rates and Charges for the Relief of the Poor, and for paving, cleansing, lighting, watching, and all other Parochial Rates, Charges, and Assessments whatsoever, as any Houses, Erections, and Buildings in the said Parish of *Saint Martin in the Fields* shall from Time to Time be subject and liable to.

Clauses and Provisions herein-before contained for the Sale and Conveyance of Tenements, &c. shall apply to those to be purchased for erecting Workhouse, &c.

XXXIX. And be it further enacted, That all the Clauses and Provisions herein-before contained for authorizing the said Commissioners acting in the Execution of this Act to purchase, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, or Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees and Persons, to contract to sell and convey the Tenements or Hereditaments to be purchased for the Purposes of making the said several Alterations and Improvements herein-before mentioned, and for regulating the Payment of the Purchase Money for the same, shall extend and be applicable to the Ground, Tenements, or Hereditaments which shall be deemed proper to purchase for the Purposes of erecting the said new Workhouse, Parochial School, Library, and Free School, Vestry Room, Sexton's Office, and Watch-house, or any of them, for the said Parish of *Saint Martin* aforesaid, in such and the same Manner, to all Intents and Purposes, as if all the said Clauses, Provisions, and Regulations were repeated and adapted thereto: Provided nevertheless, that nothing herein contained shall authorize the said Commissioners acting in the Execution of this Act to purchase any Tenements or Hereditaments not included in the Plan and Book of Reference herein-before mentioned, for the Purposes of such Buildings, against the Consent of the Persons interested therein, and hereby authorized to contract to sell and convey the same.

Not to authorize the Purchase of Tenements, &c. not included in the Plan, without Consent.

Commissioners to appoint Stands for Hackney Coaches, &c. within the Limits of this Act.

XL. And be it further enacted, That the said Commissioners for executing this Act shall and they are hereby authorized, from Time to Time, to appoint fit and convenient Places in such of the Streets, Squares, Ways, Passages, and Places to be made and improved under or by virtue of this Act, or which have been made or improved by the said recited Act, as they shall deem proper, for the Stands for Hackney Coaches, Hackney Chariots, and Cabriolets.

XLI. And

Penalty for Carts, &c. remaining in the Streets longer than is necessary for loading or unloading.

XLI. And be it further enacted, That if any Waggon, Cart, or other Carriage shall be left to stand or remain in any of the Streets, Squares, Ways, Passages, and Places to be made, altered, or improved under or by virtue of this Act, with or without Horses, for any longer Time than shall be necessary for the loading and unloading thereof; or if any Hackney Coach, Hackney Chariot, Cabriolet, Stage Coach, Post Chaise, or other Carriage let to Hire, shall be left to stand or remain in any of such Streets, Squares, Ways, Passages, or Places, other than in such Situations as shall be appointed for Stands for such Carriages as aforesaid, with or without Horses, for any longer Time than shall be reasonable and necessary for taking up or setting down Passengers, for loading or unloading their Baggage or other Loading (except for Repair in case of Accidents); then and in every such Case the Owner or Driver of every such Carriage shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Sewers or Drains to be arched over or filled up.

XLII. And be it further enacted, That it shall be lawful for the said Commissioners for carrying this Act into Execution, and they are hereby authorized and empowered, out of the Monies to be raised by virtue of this Act, to cause to be arched over or filled up all the Sewers and Drains, or Part or Parts thereof, within the said City or Liberty of *Westminster*, which shall lie and be in or near the said Streets, Ways, and Places, to be erected and built, altered, repaired, or improved under or by virtue of this Act, as shall appear necessary for the completing the Purposes of this Act, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured, or prejudiced, without another Drain or Sewer being made in lieu thereof, equally serviceable and convenient to the Individual or Neighbourhood: Provided always, that at the Time of filling up any Sewer or Drain, or Part thereof as aforesaid, the said Commissioners for carrying this Act into Execution shall cause to be made and built, as shall be required by the Commissioners of Sewers, other good and sufficient Sewers and Drains of the same or greater Size or Capacity, and upon the same or lower Levels than the Sewers or Drains which shall be filled up; and when made and completed, the said respective Sewers and Drains shall be under the Jurisdiction, Care, and Management of His Majesty's Commissioners of Sewers for the District or Place in which the same shall be situate: Provided always, that in case the said Commissioners of Sewers shall require any Sewer or Drain, or Part or Parts of any Sewer or Drain, that may be destroyed or altered under the Authority of this Act, or any new Sewer or Drain, to be built or made of enlarged Capacity, and shall give Notice to the said Commissioners for carrying this Act into Execution, or their Surveyor or Architect for the Time being, of such their Desire, before such Sewer or Drain shall be begun to be rebuilt or altered, then and in every such Case such Sewer or Drain shall be built or made of enlarged Dimensions, as the said Commissioners of Sewers may require; and such last-mentioned Commissioners shall bear and pay the Difference in Expence that may be occasioned by such enlarged Capacity.

For paving, lighting, and watching the

XLIII. And be it further enacted, That in the designing and laying out, opening and making such Streets or Places, and in the erecting or

Streets, &c. under this Act.

or rebuilding such Dwelling Houses and other Buildings as above mentioned, the said Commissioners shall, by and out of the Monies to be raised by virtue of this Act, in a substantial and workmanlike Manner, fill in all and every the Vaults, Cellars, and open Places over which it may be necessary to new pave, except such as shall be used again as Cellars, Vaults, or Areas, with good sound hard Brick Rubbish, or other sound and proper Materials, to be well rammed down every Three or Four Inches thick, to prevent the Ground from giving way; and do and shall, out of the Monies so to be raised as aforesaid, well and effectually pave over all the Ground of the said new intended Streets and Places with the Materials of the present Pavement, as far as they will extend, and with a sufficient Quantity of new Materials, of like Quality and Dimensions, to supply the Deficiency; and shall and will, in like Manner and by the like Means, relay and repair all and every Part of the Streets, Ways, Courts, and Passages which they shall disturb or alter in carrying the Purposes of this Act into Execution; and moreover, that the said Commissioners shall, by and out of the same Monies, provide, place, and affix proper and substantial Lamp Irons, with Lamps and Burners for lighting the said new intended Streets and Places, of equal Dimensions and Quality, and at the like Distances from each other, and painted and finished in the like Manner, as other Lamp Irons and Lamps in the said respective Parishes; and also in like Manner provide, place, and affix, at proper Distances from each other, good and substantial Watch-boxes for the Watchmen of each of the said respective Parishes: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to charge the said Commissioners with repairing or making good such Pavements, Lamps, Lamp Irons, or Watch-boxes in future; but from and after the same shall be so paved, relaid, and repaired as aforesaid, and such Lamps, Lamp Irons, and Watch-boxes provided and finished as aforesaid, the same shall for ever after be kept in repair by and at the Expence of the said Parishes to which the same shall respectively belong; and that the Right and Property of all Pavements, Stones, Bricks, Posts, Lamps, Lamp Irons, Lamp Posts, and Watch-boxes, so to be laid, erected, and fixed up as aforesaid, shall belong to and be the Property of the said respective Parishes, in the same Manner as Things of a like Description in other Parts of the said Parishes respectively are at present vested by Law.

Commissioners not to be chargeable with future Repairs.

Indemnity to Vicar, &c. for Church Dues.

XLIV. And whereas by reason of the taking down of the several Dwelling Houses and other Buildings required for the Purposes of this Act, a Deficiency may arise in the Produce of the annual Stipends, Easter Dues, Obventions or Oblations, and also in the annual Produce of Church Duties for Burials, Marriages, and Christenings (usually called Surplice Fees and Burial Ground Fees), and other Perquisites and Payments payable in respect thereof to the Vicars, Rectors, Churchwardens, Clerks in Orders, Sextons, and other Officers belonging to the respective Churches of the Parishes herein mentioned; be it therefore enacted, That the said Commissioners shall yearly and every Year pay and make good, or cause to be paid and made good, unto the Vicars or Rectors of the said respective Parishes for the Time being, for the Use of themselves and

and the Clerks in Orders and other Officers respectively, all such Deficiencies as shall or may arise or happen by reason or means of any thing done in the Execution of this Act, in the Produce of the said annual Stipends, *Easter* Dues, Oblations or Obventions, and Church Duties above mentioned, from and after *Easter Tuesday* which will be in the Year of our Lord One thousand eight hundred and twenty-seven; which Deficiencies shall be estimated and ascertained conclusively at or upon the Average Produce of such annual Stipends, *Easter* Dues, Oblations or Obventions, and Church Duties respectively, for the Three Years immediately preceding *Easter Tuesday* One thousand eight hundred and twenty-six, compared with the Produce thereof for each subsequent Year, and the first yearly Payment of which Deficiencies shall be made on *Easter Tuesday* One thousand eight hundred and twenty-eight.

Commissioners to make up Deficiencies of Land Tax until new Buildings are assessed:

XLV. And whereas, by reason of taking down Houses and Buildings, and making Alterations in pursuance of this Act, there may be Deficiencies in the Assessments for Land Tax in the several Parishes herein mentioned; be it therefore enacted, That for preventing the same the said Commissioners shall, from and after they have purchased any Premises charged with the Land Tax, and until the several Buildings which shall be erected and built under and by virtue of this Act shall be completed and assessed to such Land Tax (unless the said Commissioners shall think fit to redeem the same under the Powers of the Acts for the Redemption of the Land Tax), be subject and liable from Time to Time to pay and make good to or in aid of any such Parish, out of the Monies to arise by virtue of this Act, all such Sum and Sums of Money as shall be deficient in the said several Assessments for Land Tax within such Parish by reason or means of taking down or using for the Purposes of this Act any Houses, Buildings, or Premises liable to such Assessments, according to the Rental at which the same were valued or rated at the Time of passing this Act; and the said Commissioners shall be and they are hereby authorized and required to pay all such Assessments, on Demand thereof, to the Collector or Collectors of the Land Tax Assessments.

As also Deficiencies in Assessments for the Poor, Paving Rates, &c.

XLVI. And whereas, for the Reason above mentioned, there may be Deficiencies in the Produce of the Assessments for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made out of the Poor's Rate, and for paving, cleansing, lighting, and watching the said Parishes respectively, and occasionally for repairing and amending the Churches, Steeples, Churchyards, and Vestry Rooms belonging to the same Parishes respectively; be it therefore enacted, That the said Commissioners shall yearly and every Year, from and after the respective Times of first making the said respective Assessments, after the passing of this Act, pay and make good, or cause to be paid and made good, to the said Parishes respectively, all such Sum and Sums of Money as shall be deficient in respect of the Produce of the said several Rates or Assessments, by reason or means of the carrying this Act into Execution; the same Deficiencies to be calculated and ascertained by the Amount of such Rates or Assessments as shall have been actually collected in respect of the

Houses and Buildings shut up, taken down, or used by virtue of this Act, upon an Average of Three Years next preceding the passing of this Act, according to the several Pound Rates to be assessed from Time to Time on the Inhabitants of the other Parts of the said Parishes respectively, and shall pay the same accordingly to the several Collectors of the said Rates and Taxes, quarterly or otherwise, as the same shall become due; the said Commissioners being first allowed a Deduction thereout of the Amount of the said several Rates and Taxes which may from Time to Time be assessed on and payable for or in respect of the new Houses and Buildings which may be erected and built under or by virtue of this Act: Provided always, that whenever by the Operation of this Act the Produce or Payments in respect of the several and respective Assessments for the Relief of the Poor, paving, cleansing, lighting, and watching, and for repairing the Churches, Steeples, Churchyards, and Vestry Rooms of the said Parishes respectively, of and for all such Houses, Buildings, Tenements, and Hereditaments whatsoever, as for the Time being shall be standing upon the Line of the said intended new Streets and Places, shall amount to a larger Sum of Money than the Sums which would have been received or collected from the Houses, Buildings, Lands, Tenements, and Hereditaments, situate within the said Parishes respectively, which shall be pulled down, taken, or used for the Purposes of this Act, according to the Amount of such Rates or Assessments as shall have been actually collected in respect of such last-mentioned Houses, Buildings, Lands, Tenements, and Hereditaments, upon an Average of Three Years next preceding the passing of this Act as aforesaid, that then the aforesaid Payments on account of Deficiencies in the said annual Stipends, *Easter* Dues, Obventions or Oblations, Church Duties, Poor Rates, paving, cleansing, lighting, and watching, and for repairing the Churches, Steeples, Church-yards, and Vestry Rooms of the said Parishes respectively, shall severally cease and determine, and then also, and from thenceforth, the Surplus (if any there shall be) in the said Rates or Assessments shall be applied and paid to the said Commissioners for executing this Act, towards reimbursing them what they shall have paid for or in respect of the aforesaid Deficiencies on the said respective Accounts, and so from Time to Time, when and as often as there shall be any Surplus on the said respective Accounts, until the said Commissioners shall be wholly reimbursed and repaid all Monies which they shall have disbursed in respect of such Deficiencies: Provided that nothing herein contained shall extend or be construed to extend to compel the Rectors for the Time being, or any or either of them, to pay or refund any Sum or Sums of Money in respect of the Difference of *Easter* Offerings, Oblations, Obventions, or Church Dues.

which shall be reimbursed when the Rent shall exceed the present Amount.

Power to borrow Money on Mortgage of Houses, &c.

XLVII. And in order to enable the said Commissioners for executing this Act to carry the several Purposes thereof into Execution, be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, and notwithstanding any Provision,

Restriction, or Clause contained in any Act or Acts of Parliament relating to His Majesty's Land Revenue, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, to borrow and take up at Interest from Time to Time such Sum or Sums of Money, not exceeding in the whole the Sum of Four hundred thousand Pounds, as they the said Commissioners for executing this Act, with such Consent and Approbation as aforesaid, shall judge necessary for the Purposes of this Act, on Mortgage of all or any Part or Parts of the Houses, Buildings, Lands, Tenements, and Hereditaments of or belonging to His Majesty, His Heirs and Successors, in the Lines of the said Streets and Places which have been purchased, erected, built, altered, repaired, and improved under or by virtue of the said recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third, as aforesaid, situate, lying, and being between *Pall Mall* on the South, *Portland Place* on the North, *Saint James's Street* on the West, and the *King's Mews* on the East, or any or either of the said last-mentioned Streets or Mews; and for securing the Repayment of the said Sum of Four hundred thousand Pounds, or any Part or Parts thereof, with Interest for the same, with such Consent and Approbation as aforesaid, to grant, demise, mortgage, or otherwise convey all or any Part or Parts of the same Houses, Buildings, Lands, Tenements, and Hereditaments respectively, unto any Person or Persons who shall lend and advance such Sum or Sums of Money respectively, his, her, or their Heirs, Executors, or Administrators, or to whom he or they shall appoint, either in Fee or for any Term of Years; so that every such Grant, Mortgage, or Security be made with a Proviso or Condition to cease and be void, or with an express Direction or Condition to be conveyed, surrendered, or assigned, when such Sum or Sums of Money thereby to be secured, and the Interest thereof, shall be fully paid and satisfied; and every such Grant, Mortgage, or Security shall be in the Form or to the Effect following; (that is to say),

Form of Mortgage.

'*A. B.* and *C. D.* Two of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, being duly authorized by the Lords Commissioners of His Majesty's Treasury, and acting in pursuance of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*] in consideration of the Sum of lent and advanced by *E. F.* of to the Commissioners of His Majesty's Woods, Forests, and Land Revenues, upon the Credit and for the Purposes of the said Act, do, by and with the Consent and Approbation of the Commissioners of His Majesty's Treasury, and for and on behalf of His Majesty, grant, mortgage, and convey unto the said *E. F.*, his Heirs, Executors, Administrators, or Assigns, [*or if by Demise, then say*] do grant, mortgage, and demise unto the said *E. F.*, his Executors, Administrators, or Assigns, or to his Trustee or Trustees [*as the Case may be*], all [*here insert the Parcels*] to hold to the said *E. F.*, his Heirs and Assigns, for ever, [*or if for a Term, then say*] to hold to the said *E. F.*, his Executors, Administrators, or Assigns, for a Term of Years, to be computed from the Date hereof, for securing the Repayment of the said Sum of with Interest for

'for the same after the Rate of *per Centum per Annum*, such Interest to be paid by Half-yearly Payments: Provided, and these Presents are upon this express Condition, that the Grant and Conveyance [*or* Demise, *as the Case may be*] hereby made, shall cease and be void when and as soon as the said Sum of and the Interest thereof as aforesaid, shall be fully paid and satisfied [*here may be introduced any special Clauses respecting the Time and Manner of Payment which may be agreed upon between the Parties.*] In witness whereof the said *A. B.*, *C. D.*, and *E. F.* have hereunto set their Hands and Seals, the Day of in the Year of our Lord

And every such Grant, Mortgage, or Security shall be good and valid, notwithstanding any such Provisions, Restrictions, or Clauses contained in any such Act or Acts of Parliament as aforesaid, and shall entitle the Person or Persons to or in trust for whom the same shall be made, his, her, or their Heirs, Executors, Administrators, or Assigns, to the Payment of the Sum or Sums of Money and Interest secured by any such Grant, Mortgage, or Security, according to the true Intent and Meaning thereof, and of this Act; and the Costs, Charges, and Expences of every such Grant, Mortgage, or Security, shall be from Time to Time defrayed by the said Commissioners for executing this Act, out of the Money so borrowed.

Power to borrow Money at lower Interest, to discharge Securities at a higher Rate.

XLVIII. Provided always, and be it enacted, That in case the said Commissioners for executing this Act can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Assignments which shall be then in force shall bear, it shall and may be lawful to and for the said Commissioners, by and with such Consent and Approbation as aforesaid, from Time to Time to charge the said Rents and Profits, in manner aforesaid, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such low Rate as aforesaid, and to pay off and discharge the Assignments bearing a higher Rate of Interest, according to the Regulations and Directions herein prescribed for paying off such Assignments.

Commissioners under 57 G. 3. c. 34. may advance 400,000*l.* in Exchequer Bills to the Commissioners under this Act.

XLIX. And whereas by an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund, to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in manner therein mentioned*, certain Commissioners therein named and appointed are authorized and empowered to issue and advance Exchequer Bills, under the Directions and Regulations therein specified, for the carrying on of Public Works in *Great Britain*; and by another Act passed in the said Fifty-seventh Year of His said late Majesty's Reign, intituled *An Act to amend an Act made in the present Session of Parliament, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries, and Employment of the Poor*, the Powers of the said first-mentioned Act are enlarged and extended: And whereas by an Act passed in the First Year

Year of the Reign of His present Majesty, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King* George *the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries, and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in* Great Britain; and by another Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor; and to authorize a further Issue of Exchequer Bills for the Purpose of the said Acts;* and also by another Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to amend the Acts for the Issue of Exchequer Bills for Public Works*, the Powers of the said Two Acts passed in the said Fifty-seventh Year of His said late Majesty are altered, amended, and enlarged: And whereas it would tend to facilitate the carrying the several Improvements herein-before mentioned into effect, if the said Commissioners for the Issue of Exchequer Bills, acting in Execution of the said last-recited Acts, were authorized and empowered to advance to the said Commissioners acting in the Execution of this Act any Sum not exceeding the Sum of Four hundred thousand Pounds, to be secured in manner herein-before mentioned; be it therefore enacted, That it shall and may be lawful to and for the Commissioners for the Issue of Exchequer Bills, acting under the said recited Acts, and they are hereby authorized and required, on Application being made to them by the said Commissioners acting in Execution of this Act, to advance to them, or as they may direct or appoint, any Sum or Sums of Money in Exchequer Bills, not exceeding in the whole the Sum of Four hundred thousand Pounds, upon the Terms and Conditions herein-after mentioned.

Security to be taken for Repayment of such Exchequer Bills.

L. And be it further enacted, That upon the said Commissioners for the Issue of Exchequer Bills making such Advance to the said Commissioners acting in the Execution of this Act, the said last-mentioned Commissioners shall execute a Mortgage to the Effect herein-before directed and set forth, to the said Commissioners for the Issue of Exchequer Bills, in such Form and to such Person or Persons as they shall direct or appoint, of the several Houses, Buildings, Lands, Tenements, and Hereditaments herein-before authorized and directed to be mortgaged, or of a competent Part thereof, for securing the Repayment of the said Exchequer Bills, by an annual Instalment of at least Two and a Half *per Centum* on the Principal Money advanced as aforesaid, with Interest at the Rate of Four *per Centum per Annum* from the Date of the said Exchequer Bills, on such Part of the Principal Money as shall from Time to Time remain due and unpaid; any thing in the said recited Acts of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, or the First, Third, and Fifth Years of His present Majesty, or either of them, to the contrary thereof notwithstanding.

Monies to be paid into the Bank of England.

LI. Provided always, and be it further enacted, That all Sums of Money, Bills, and Drafts which shall be received by the said Commissioners for executing this Act, shall from Time to Time, within Two Days after the same shall have been received, or 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 by the said Commissioners, be paid by them into the Hands of the Governor and Company of the Bank of *England*, for which the Receipt of the Cashier or Cashiers of the said Governor and Company shall be a sufficient Discharge; and all such Monies, Bills, and Drafts so to be paid to the said Governor and Company shall from Time to Time be placed to an Account raised in Books of the said Governor and Company, under the Directions and Authority of the said recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third as aforesaid, intituled "The Account of the Commissioners of His Majesty's Woods, "Forests, and Land Revenues, being the New Street Account," and shall be applied and disposed of by them the said Commissioners for executing this Act for and towards the carrying the several Purposes thereof into Execution.

Commissioners may retain a Sum for current Expences in the Hands of a private Banker.

LII. Provided nevertheless, and be it further enacted, That it shall and may be lawful for the said Commissioners for executing this Act to reserve out of the Monies to be received by them by virtue of this Act, for casual and ordinary Payments for the Purposes thereof, in the Hands of any private Banker to be nominated by any Writing under the Hand of the said Lord High Treasurer, or the Hands of the said Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, a Sum not exceeding Three thousand Pounds, to be drawn for by the said Commissioners for executing this Act, or any one of them; and if at any Time the Sum so reserved shall be reduced below Three thousand Pounds, then it shall be lawful for the Commissioners for executing this Act from Time to Time to make up the same to the Sum of Three thousand Pounds, by Drafts under their Hands upon the Funds to be deposited in the Hands of the Governor and Company of the Bank of *England* as aforesaid.

Drafts on the Bank of England to specify the particular Service.

LIII. And be it further enacted, That the Commissioners for executing this Act shall make all Payments required to be made out of the Monies to be deposited in the Bank of *England*, by Drafts under their Hands on the said Bank, and shall specify on each such Draft the particular Service, Salary, or other Charge, Purpose, or Cause for which such Draft shall be given; and every such Draft shall also have marked in the Margin thereof a Figure corresponding to the Page in a Book to be kept by the said Commissioners, wherein Entry shall be made of the particular Service, Salary, or other Charge, Purpose, or Cause for which such Draft shall be given.

Drafts shall be Authority to the Bank.

LIV. And be it further enacted, That all Drafts drawn pursuant to the Directions of this Act, but not otherwise, shall be sufficient Authority to the Bank of *England* to pay the Amount thereof to the Persons

Persons mentioned in such Drafts, or to the Bearer of them; and that the said Commissioners for executing this Act, observing the Rules and Regulations hereby prescribed, shall not be answerable, either collectively or individually, for any Money which they the said Commissioners, or any or either of them, shall have so paid into the Bank of *England*; and that the Governor and Company of the Bank of *England* shall be answerable for all the Monies which shall be actually received by them from such Commissioners.

Power to remove Projections and Encroachments.

LV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners for executing this Act to take down, take away, remove, alter, or regulate, in such Manner as they shall from Time to Time judge proper, all Signs or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, and all Sign Irons, Sign Posts, and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow and other projecting Windows, Window Shutters, Palisades, and other Encroachments, Projections, and Annoyances belonging or which shall hereafter be affixed or belong to any House or Houses or other Buildings, and which do and shall in their Judgment obstruct the free and commodious Passage along the Carriage or Footways of any of the Streets, Squares, and Places to be made, widened, altered, stopped up, and improved by virtue of this Act; and also to cause the Water to be conveyed from the Roofs, Cornices, Eaves, and Penthouses of or belonging to such Houses or other Buildings respectively, by proper Trunks or Pipes to be affixed to the Sides of such Houses or other Buildings respectively; and that the Costs, Charges, and Expences attending the taking down, taking away, removing, altering, or regulating such Signs, Sign Irons, Sign Posts and other Posts, Sheds, Penthouses, Spouts, Gutters, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Palisades, and other Projections, Encroachments, and Annoyances, or any of them, and of making and affixing such Pipes or Trunks as aforesaid, shall be borne and defrayed out of the Money to be raised by virtue of this Act: Provided always, that if the said Commissioners for executing this Act shall cause to be taken up or removed any Posts or other Guards placed for the Protection of any House or Building forming a Corner of any Street or Lane, from Injury by Carriages, they the said Commissioners shall by some proper Ways or Means sufficiently guard or protect the same House or Building from Damage as aforesaid; and in case any Damage shall at any Time happen to any such House by reason of taking up or removing any such Posts or other Guards by the said Commissioners, they the said Commissioners shall from Time to Time make good such Damage out of the Monies to be raised by virtue of this Act.

Protection for Corners of Buildings.

For preventing future Encroachments and Projections.

LVI. And be it further enacted, That if any Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow Window or other projecting Window, Window Shutter, Palisade, or any other Encroachment, Projection, or Annoyance, shall be made, erected, or built against or in the Front or Outside of any House or other Building, within or adjoining to any Street, Square, or Place to be made, widened, altered, stopped up, or improved by virtue of this Act,

Act, so as to obstruct the free and commodious Passage along the Carriage or Footways of the same, then and in every such Case the Owner or Owners of any such House or Building, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Palisade, or other Projection, Encroachment, or Annoyance which shall be so made, erected, or built as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings a Day for every Day such House or other Building, Sign, Sign Iron, Sign Post or other Post, Shed, Penthouse, Step, Stair, Bow or other projecting Window, Window Shutter, Palisade, or other Encroachment, Projection, or Annoyance shall continue in such Street, as is herein-before provided against; and it shall and may be lawful to and for the said Commissioners for executing this Act (whether any such Penalties or Forfeitures shall be levied or not) to cause all such Signs, Sign Irons, Sign Posts, Sheds, Penthouses, Steps, Stairs, Bow or other projecting Windows, Window Shutters, Palisades, and other Encroachments, Projections, and Annoyances, or any of them, to be taken down, removed, and taken away.

Commissioners may allow Porticoes, Colonades, &c. to project over Footways.

LVII. And whereas it may be expedient that Porticoes, Arcades, Colonades, or other covered Ways should be allowed to extend over the Footways of some of the Streets, Squares, Ways, Courts, Passages, and Places to be made, erected, built, altered, repaired, and improved under or by virtue of this Act, and also in front of Houses which may be hereafter erected and built on Ground belonging to the Crown, situate on the South Side of *Pall Mall* aforesaid, and that Bow Windows, Shop Windows, Alcoves, Balconies, and other ornamental Projections, should be allowed to be advanced to the Fronts of the Areas, provided such Porticoes, Colonades, Arcades, or other covered Ways, Bow Windows, Alcoves, Balconies, or other ornamental Projections, be made of Brick, Stone, Metal, or other incombustible Materials; be it therefore enacted, That it shall be lawful for the Commissioners of His Majesty's Woods, Forests, and Land Revenues, and also for the said Commissioners for executing this Act, as the Case may be, to build, erect, and make, or to authorize and permit the building or erecting and making of any Porticoes, Arcades, and other covered Ways, projecting from any Buildings or Houses which shall or may be built on the Ground so belonging to the Crown on the South Side of *Pall Mall* as aforesaid, or on the Sides of the said new Streets, Squares, Ways, Courts, Passages, or Places, to be made, erected, built, altered, repaired, or improved under or by virtue of this Act, extending over any Footways of the said Streets, Squares, Ways, Courts, Passages and Places; provided the same do not obstruct or incommode the Foot Passengers, and that the Footways under the same be at least Six Feet broad in the Clear, between the Columns, Piers, or other Supports of such Porticoes, Colonades, Arcades, or other covered Ways, and the Railing of the Areas of the Houses or other Buildings before which the same are placed; and provided such Colonades, Arcades, Porticoes, and covered Ways be built of Brick, Stone, or Metal, or Stucco or Cement laid on Brick or Stone, except the Joists and Bearers which form the Covering over the said Footpath, which may be made of Wood covered with Plaster

or Stucco, or other uninflammable Composition, and so as that all such Porticoes, Colonades, Arcades, and other covered Ways, shall be made in such Manner, and upon such Plans, and of such Dimensions, as shall be ordered and directed or authorized and allowed by the said respective Commissioners in that Behalf, (any thing in any Act or Acts of Parliament relating to Houses or Buildings in the Cities of *London* or *Westminster* to the contrary notwithstanding).

Commissioners may authorize Projections, Virandas, &c.

LVIII. Provided also, and be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, and for the Commissioners for executing this Act, as the Case may be, to erect and make, or to authorize and permit the erecting or making, the Fronts of any Houses or Buildings so to be erected and built on the Ground belonging to the Crown, on the South Side of *Pall Mall* aforesaid, and also in the said Streets, Squares, Ways, Courts, Passages, and Places, to be erected, built, altered, repaired, or improved under or by virtue of this Act as aforesaid, in such Manner as that some Fronts may recede behind or advance before others, and with Bow Windows or other Projections, and with Virandas, Alcoves, Balconies, Pilasters, Columns, and Shop Windows or other Projections; provided that no Front of any such House or Building, or any such Viranda, Alcove, Balcony, Pilaster, Column, or Shop Window or other Projections, advance beyond the Area of the House or Building to which it shall belong, and that the same be built of Stone, Brick, Metal, or Stucco or other Cement laid on Brick or Stone, except Shop Windows, with their Shutters and Decorations, which may be of Wood; any thing in any Act or Acts of Parliament relating to Buildings or Houses, or Bow Windows, or other Projections, to the contrary notwithstanding.

Commissioners may sue and be sued in the Name of their Secretary.

LIX. And be it further enacted, That in all Actions, Suits, Bills, Plaints, Indictments, Prosecutions, Trials, or Proceedings at Law, to be had, brought, prosecuted, or preferred in pursuance of this Act, the said Commissioners for executing this Act may sue and be sued in the Name of their Secretary appointed for the Purposes of this Act, or the Person officiating as such; and that no Action or Prosecution to be brought, commenced, or defended by or against the said Commissioners, or any of them, by virtue of this Act, in the Name of their Secretary or the Person officiating as such, shall abate or be discontinued by the Death or Removal of such Secretary or the Person officiating as such, or by any Act of such Secretary or the Person officiating as such, without the Consent of the said Commissioners; but the Secretary for the Time being to the said Commissioners, or the Person officiating as such, shall always be deemed the Plaintiff or Defendant in such Action, as the Case may be: Provided always, that any such Secretary or the Person officiating as such, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs and Charges as by the Event of any such Proceedings he shall be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and also the Costs and Charges of prosecuting any Indictment or Indictments, or other Proceedings whatsoever, which shall or may be com-

menced or prosecuted against any Person or Persons whomsoever by Order of the said Commissioners.

Commissioners may grant Compensation in certain Cases.

LX. Provided always, and be it further enacted, That the said Commissioners shall have the Power and Authority, when they may deem it just and reasonable, to grant Compensation to any Tenant at Will for giving up the Possession of the Premises under or by virtue of this Act, in any Case where special Injury shall be proved to their Satisfaction.

The Commissioners exempted from personal Responsibility.

LXI. And be it further enacted, That nothing in this Act, or in any Mortgage, Contract, or Lease hereby authorized to be entered into or made by the said Commissioners for executing this Act, or any of them, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Mortgage, Contract, or Lease, or the Heirs, Executors, or Administrators of the same Commissioners, or any of them, or either or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Mortgage, Contract, or Lease contained on the Part of the same Commissioners, or any of them; but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or Equity against them the said Commissioners, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such last-mentioned Mortgage, Contract, or Lease, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall bear, pay, expend, or be put to, or which shall be occasioned to them for or by reason or means of any such Mortgage, Contract, or Agreement, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised or be received by virtue of this Act.

Mortgage and other Deeds exempted from Stamp Duty.

LXII. And be it further enacted, That no Mortgage, Bond, or other Security, Contract, Conveyance, Deed of Exchange, Lease, or other Instrument, which shall be made, granted, or executed by the Commissioners for executing this Act, under any of the Powers or Authorities hereby granted, nor any Contracts or Agreements, Deeds or Conveyances, which shall be made, entered into, or executed by any other Person or Persons to or with them, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatsoever, imposed by any Act or Acts of Parliament now in force, nor to any Stamp Duty to be imposed by any future Act or Acts of Parliament, unless such Instruments be specially subjected and specifically charged in and by such future Act or Acts of Parliament.

Deeds to be enrolled in the Office of the Auditor

LXIII. And be it further enacted, That every Contract, Mortgage, or Security, Conveyance, Lease, or Deed, whereby any of the Houses, Buildings, Lands, Tenements, or Hereditaments, hereby authorized to

to be mortgaged, purchased, sold, exchanged, leased, or demised, shall be so purchased or agreed to be purchased, or shall be so sold, exchanged, leased, or demised, shall be enrolled in the Office of the Auditor of His Majesty's Land Revenues, on Payment of the usual Fees for such Enrolment, and a Minute or Docket thereof shall be entered and preserved in the Office of the said Commissioners of His Majesty's Woods, Forests, and Land Revenues; and that every such Contract, Mortgage, or other Security, Conveyance, Lease, or Deed, when so enrolled and entered, shall, without any other Enrolment or Registry thereof, be as good and available in Law, and of the like Force and Effect in all respects, as if the same had been enrolled in any of His Majesty's Courts at *Westminster*, or as if a Memorial had been entered or registered in the Office appointed for registering Deeds and other Conveyances of Lands and Tenements in the County of *Middlesex*, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding. of the Land Revenue.

LXIV. And be it further enacted, That the Right and Property of all and every the Gates, Bars, Posts, Rails, Sheds, Carts, Engines, Materials for paving, Implements, Utensils, and Things whatsoever, which may be erected and set up or provided by the said Commissioners for executing this Act, or by their Order, or otherwise belonging to and used by them for carrying the Purposes of this Act into Execution, shall be vested in the said Commissioners, and they are hereby authorized and empowered to dispose of and apply the same for the Purposes of this Act, as they shall think fit, and to bring any Action or Actions, and to prefer and prosecute with Effect any Bill or Bills of Indictment against any Person or Persons who shall steal, secrete, injure, damage, or dispose of the same, or any of them respectively, to their own Use or Uses, or shall disturb them the said Commissioners, or their Officers, or other Persons acting under them, in the Possession thereof. Materials, &c. vested in Commissioners.

LXV. And be it further enacted, That in case all or any of the Works to be done in pursuance of this Act shall not be well and sufficiently performed, according to the Intent and Meaning of any Contract or Contracts to be entered into by the said Commissioners for executing this Act, for the Purposes thereof, or shall not be completed within the Time or Times specified in such Contract or Contracts, then and in every such Case the said Commissioners may cause an Action to be brought in any of His Majesty's Courts of Law at *Westminster* against any such Contractor or Contractors for any Penalty contained in his Contract; and on Proof of the signing of the said Contract, and Non-performance thereof at the Time or Times for that Purpose to be therein mentioned, the said Commissioners shall be entitled to and shall recover the full Penalty contained in any such Contract, any Law, Custom, or Usage to the contrary in anywise notwithstanding; which Penalty, when recovered, shall be applied to the Purposes of this Act: Provided always, that it shall be lawful for the said Commissioners, if they shall think fit, but with such Consent and Approbation as aforesaid, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Non-performance of any such Contract, for such Sum Commissioners may cause Actions to be brought for Breach of Contracts; or may compound for Penalties for Breach of Contract.

Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences which shall be occasioned thereby.

Penalty on assaulting Officers, &c.

LXVI. And be it further enacted, That if any Person or Persons whomsoever shall assault, interrupt, hinder, or disturb any Person or Persons whomsoever, employed by the said Commissioners in the Execution of any Part of this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

For securing Offenders.

LXVII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, deface, or damage any of the Bars, Posts, Rails, Sheds, Carts, Engines, Materials for paving, Implements, Utensils, or Things whatsoever, which shall be the Property of, or used by or under the Orders or Directions of the said Commissioners for executing this Act in making and completing or for the Purposes of the said Alterations and Improvements, it shall be lawful for any Person or Persons whomsoever, who shall see such Offence committed, to apprehend, and also for any other Person or Persons to assist in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to cause him, her, or them to be conveyed before some Justice of the Peace for the said County of *Middlesex*, and such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of all or any of the Offences aforesaid, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she or they so convicted shall forfeit and pay for every such Offence to the said Commissioners for executing this Act a Sum not exceeding Five Pounds, and also make Satisfaction to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not upon Conviction pay such Forfeitures, and make such Satisfaction as aforesaid, such Justices are hereby required to commit him, her, or them to the nearest Bridewell or House of Correction for the said County of *Middlesex*, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall have been so committed, unless such Penalty or Forfeiture and Satisfaction shall be sooner paid or given.

Justices may proceed by Summons in the Recovery of Penalties.

LXVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice of the Peace, it shall and may be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act, to summon the Party complained against before him; and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to commit the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such

such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

For Recovery of Penalties.

LXIX. And be it further enacted, That all Complaints and Informations for Offences against this Act (except in Cases where the Manner of hearing and determining thereof is herein-before otherwise directed) shall and may be made before One or more Justice or Justices of the Peace for the County or Place wherein the Offence shall be committed; and such Justice or Justices is and are hereby authorized and empowered to take cognizance thereof, and to summon the Person or Persons complained of to appear before him or them, or upon Complaint upon Oath to issue his or their Warrant or Warrants for the Apprehension of any such Person or Persons; and upon the Appearance or Non-appearance of such Person or Persons pursuant to such Summons, to hear the Matter of every such Complaint and Information by Examination of any Witness or Witnesses upon Oath, and to make such Determination thereon as such Justice or Justices shall think proper; and upon Conviction of any Person, such Justice or Justices shall and may issue a Warrant, under his or their Hand and Seal or Hands and Seals, for levying the Penalty or Forfeiture for such Offence, together with the Costs of Conviction, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so convicted; and in case such Penalty or Forfeiture shall not be forthwith paid, it shall and may be lawful for any such Justice or Justices to order any Person so convicted to be detained and kept in safe Custody until Return can be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or their Appearance on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the taking of any such Security, and which Security the said Justice or Justices is or are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture and Costs as aforesaid, and such Penalty or Forfeiture and Costs shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to the Common Gaol or House of Correction of the County or Place where the Offence shall be committed, for any Term not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and all such Fines, Penalties, and Forfeitures when recovered shall, where the Application is not otherwise directed by this Act, be paid into the Hands of the Treasurer

or

or Treasurers of the said Commissioners, and shall be applied and disposed of towards the Purposes of this Act; and the Overplus (if any) arising from such Distress and Sale, after Payment of the Penalty and the Costs and Charges attending the same, shall be returned upon Demand to the Owner of the Goods and Chattels so distrained.

Power to give Informer Part of Penalties.

LXX. Provided nevertheless, and be it further enacted, That it shall be lawful for the said Justices from Time to Time, if they shall see Cause, to adjudge that the said Commissioners for executing this Act shall pay and apply such Part of the said Penalties and Forfeitures, or any of them, as they the said Justices shall think fit, to and for the Use of the Informer or Informers, or any Person or Persons, not being a Witness or Witnesses, taking, seizing, or assisting therein, or any of them, any thing herein contained to the contrary notwithstanding.

Form of Conviction.

LXXI. And, for the more speedy and easy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (that is to say),

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before *C. D.* One [*or* Two, *as the Case may be*] of the Justices of the Peace for the County of *Middlesex* [*specifying the Offence, and Time and Place when and where the same was committed, as the Case may be*] contrary to the Form of the Statute made in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act*], and I [*or* we] do adjudge that he hath therefore forfeited the Sum of [*here insert the Penalty*], or shall be committed to [*Place of Imprisonment*], for the Space of [*Time of Imprisonment*]. Given under my Hand and Seal, [*or* our Hands and Seals], the Day and Year first above written.'

Commissioners to render an Account to the Treasury.

LXXII. Provided always, and be it enacted, That the said Commissioners for executing this Act shall from Time to Time render and give an Account to the said Lord High Treasurer, or to the said Commissioners for executing the said Office of Lord High Treasurer, of the Amount of all Monies which shall be raised or received by the said Commissioners for executing this Act, by Sale or Mortgage, or by the Rents and Profits of any Houses, Buildings, Lands, Tenements, Rents, or Hereditaments, hereby authorized to be mortgaged, sold, demised, or let, or by Sale of the Materials of any Houses or Buildings to be pulled down and sold as aforesaid, or by any Penalties, Forfeitures, or Fines hereby inflicted or authorized to be imposed, and directed to be paid to the said Commissioners, and of all other Monies which shall be raised or received by them under or by virtue of the Authority of this Act, and of the Application of all such Monies

Monies for the Purposes of this Act; and the said Lord High Treasurer, or Commissioners for executing the said Office of Lord High Treasurer, or any Three of them, shall be, and he and they is and are hereby authorized and required to examine or cause to be examined every such Account; and in case they shall approve thereof, to signify such their Approbation at the Foot of such Account, signed by the said Lord High Treasurer, or by the said Commissioners for executing the Office of the Lord High Treasurer, or any Three or more of them, and to transmit and return the same, so approved, to the said Commissioners for executing this Act; and every Account so approved and signed as aforesaid shall be a full and sufficient Discharge to the said Commissioners for executing this Act, from or on account of all such Sums of Money as shall be mentioned in such Account, and for the Expenditure and Application thereof; and the said Commissioners for executing this Act shall not be compelled or compellable to give or render any further or other Account of any such Money, or of the Expenditure or Application thereof, any Law, Usage, or Custom to the contrary notwithstanding.

Distress not to be unlawful for Want of Form.

LXXIII. And be it further enacted, That when any Distress shall be made by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant, or Distress, or in the Appointment of the Collector or Collectors, Surveyor or Surveyors, or in any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall happen to be done in making the said Distress, but the Party or Parties aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage which he, she, or they shall have sustained thereby, with usual Costs, and no more, in an Action of Trespass or on the Case, at the Election of the Party or Parties so aggrieved.

Persons aggrieved may appeal to the Sessions.

LXXIV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular Mode of Relief hath been already appointed, such Person or Persons may appeal to the Justices of the Peace at their General Quarter Sessions to be holden for the City or Liberty of *Westminster*, within Three Calendar Months next after such Cause of Complaint shall arise, unless the same shall arise within Ten Days preceding such Sessions, in which Case such Appeal may be brought at the Second Sessions after such Case shall arise; and the said Justices are hereby authorized and required to take cognizance thereof, and to hear and determine such Complaint or Complaints, and shall and may, if they see Cause, by Order of such Session, mitigate at their Discretion all or any Part of the Penalties or Forfeitures laid upon or incurred by the Party or Parties complaining, or vacate or set aside the Conviction or Convictions, and set the Parties at liberty, or otherwise may ratify and confirm the same, with such Costs as to them in their Discretion shall seem reasonable, and to levy by their Order or Warrant such Costs so awarded by Distress and Sale of the Goods

Goods and Chattels of the Person or Persons who shall refuse to pay the same, and for Want of sufficient Distress to commit such Person or Persons to some Common Gaol in and for the County of *Middlesex*, for any Time not exceeding Three Calendar Months, or until Payment of such Costs: Provided always, that the Person or Persons so appealing as aforesaid shall, and he, she, or they is and are hereby required to give Notice in Writing to the Secretary to the said Commissioners for executing this Act, or the Person officiating as such, of his, her, or their Intention of bringing or prosecuting such Appeal, Ten Days before the said Quarter Sessions, and shall, before such Notice given, enter into a Recognizance before One or more Justice or Justices of the Peace of the said City or Liberty of *Westminster*, with Two sufficient Sureties, in the Sum of Fifty Pounds each, with Condition to prosecute such Appeal, and to pay all Costs in case such Appeal be determined against the Party or Parties so appealing.

Punishment of Persons guilty of Perjury.

LXXV. And be it further enacted, That all Persons who in any Examination to be taken by Oath, by virtue of this Act, shall wilfully give false Evidence, or otherwise forswear themselves before any such Jury as aforesaid, or before any Justice of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

Limitation of Actions.

LXXVI. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act, until Twenty-eight Days Notice shall be thereof given to the Secretary, or Person officiating as such, to the said Commissioners for executing this Act, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party aggrieved, nor after Three Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought, and tried in the said County of *Middlesex*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her, or their Election, plead specially or the General Issue, and give this Act or 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 the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-eight Days Notice shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than the said County of *Middlesex*, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

LXXVII. And

LXXVII. And whereas His Majesty has signified His Intention of giving up the Occupation of His present Residence on the South Side of *Pall Mall*, called *Carlton Palace*, and of the Gardens and Grounds thereto belonging, and it is in contemplation to take down and remove the said Palace, and to make certain Alterations and Improvements in the Site of the said Palace and Gardens; and it is therefore expedient that Powers should be given to the Commissioners of His Majesty's Woods, Forests, and Land Revenues, to grant Leases of the same, in manner herein-after mentioned; be it therefore enacted, That it shall and may be lawful to and for the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, by and with the Consent and Approbation in Writing of the said Lord High Treasurer, or of the Commissioners for executing the Office of the said Lord High Treasurer, or any Three or more of them, to direct or to contract for the taking down and removing the said Palace and the Buildings thereto belonging, and for the selling and disposing of the Materials of the same; and the Monies arising from the Sale thereof (after deducting the Expences of pulling down such Palace and the Buildings belonging to the same, and of the Sale of the Materials thereof,) shall and may be disposed of and applied by the said Commissioners in manner herein-after directed.

Commissioners of Woods and Forests may direct or contract for the taking down Carlton Palace;

LXXVIII. And be it further enacted, That the said Commissioners of His Majesty's Woods, Forests, and Land Revenues for the Time being shall and they are hereby authorized and empowered, by and with such Consent and Approbation as aforesaid, to demise or lease, or previous to any such Demise or Lease, to enter into any Contract or Agreement for the demising or leasing, all or any Part of the Houses, Buildings, and Hereditaments which shall be erected and built on the Site of the said Palace and Gardens aforesaid, to any Person or Persons whomsoever, for any Term or Terms of Years not exceeding Ninety-nine Years from the making thereof, at such Rent or Rents, to be reserved and made payable to His Majesty, His Heirs and Successors, and for such Fine and Fines, and under and subject to such Covenants, Conditions, Clauses, and Restrictions, and in such Manner, as the said Commissioners of His Majesty's Woods, Forests, and Land Revenues, shall from Time to Time, with such Consent and Approbation as aforesaid, judge proper and think most advantageous; provided that the Lessee or Lessees in such Leases respectively to be named, do and shall execute a Counterpart or Counterparts of the Lease or Leases so to be made to him, her, or them respectively; and all such Leases shall be good, valid, and effectual, any Provisions, Restrictions, or Clauses contained in any Act or Acts of Parliament relating to His Majesty's Land Revenue, or to any Property under the Management of the Commissioners of His Majesty's Woods, Forests, and Land Revenues, or any Practice, Custom, or Usage to the contrary thereof, in anywise notwithstanding.

and grant Leases of the Buildings to be erected on the Site thereof.

LXXIX. And be it further enacted, That the Monies which shall be received by the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, from the Sale of the Materials of the said Palace and Buildings as aforesaid, and also from the Fines

The Monies arising from Sale of the Palace, and also from

Fines, to be applied towards Repair of Buckingham House.

to be paid to or received by them on the granting of such Leases as they are herein-before authorized and empowered to grant, of any Houses, Buildings, and Hereditaments which may be erected and built on the Site of the said Palace and Gardens as aforesaid, or so much or such Part or Parts thereof respectively as the said Lord High Treasurer, or the Commissioners for executing the Office of the said Lord High Treasurer, or any Three or more of them, shall from Time to Time direct, shall be paid and applied by the said Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues, in carrying into Execution the Purposes of an Act of Parliament made and passed in the Sixth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to authorize the Application of Part of the Land Revenue of the Crown for the Repair and Improvement of* Buckingham House.

6 G. 4. c. 77.

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