47. That the Defendant, at the Time of the alleged Trespass, was possessed of Land, the Occupiers whereof for Thirty Years before this Suit enjoyed as of Right and without Interruption, Common of Pasture over the said Land of the Plaintiff for all their Cattle, levant and couchant, upon the said Land of the Defendant, at all Times of the Year, as to the said Land of the Defendant appertaining, and that the alleged Trespass was a Use by the Defendant of the said Right of Common.

REPLICATIONS.

48. The Plaintiff takes Issue upon the Defendant's 1st, 2d, &c. Pleas.

49. The Plaintiff as to the Second Plea says [*here state the Answer to the Plea as in the following Forms*].

50. That the alleged Release is not the Plaintiff's Deed.

51. That the alleged Release was procured by the Fraud of the Defendant.

52. That the alleged Set-off did not accrue within Six Years before this Suit.

53. That the Plaintiff was possessed of Land whereon the Defendant was trespassing and doing Damage, whereupon the Plaintiff requested the Defendant to leave the said Land, which the Defendant refused to do; and thereupon the Plaintiff gently laid his Hands on the Defendant in order to remove him, doing no more than was necessary for that Purpose, which is the alleged First Assault by the Plaintiff.

54. That the Occupiers of the said Land did not for Twenty Years before this Suit enjoy as of Right and without Interruption the alleged Way.

NEW ASSIGNMENT.

55. The Plaintiff, as to the and Pleas, says, that he sues not for the Trespasses therein admitted, but for Trespasses committed by the Defendant in Excess of the alleged Rights, and also in other Parts of the said Land and on other Occasions, and for other Purposes than those referred to in the said Pleas.

[*If the Plaintiff replies and new assigns, the new Assignment may be as follows:*]

56. And the Plaintiff, as to the and Pleas, further says, that he sues not only for the Trespasses in those Pleas admitted, but also for, *&c.*

[*If the Plaintiff replies and new assigns to some of the Pleas, and new assigns only to the other, the Form may be as follows:*]

57. And the Plaintiff, as to the and Pleas, further says, that he sues not for the Trespasses in the Pleas [*the Pleas not replied to*] admitted, but for the Trespasses in the Pleas [*the Pleas replied to*] admitted, and also for, *&c.*

CAP. LXXVII.

An Act to abolish the Office of Lord Chancellor's Secretary of Bankrupts, and to regulate the Office of Chief Registrar of the Court of Bankruptcy.

[30th *June* 1852.]

'WHEREAS it is expedient that the Office of the Lord Chancellor's Secretary of Bankrupts should be abolished, and that certain Regulations should be made with respect to the Office of the Chief Registrar of the Court of Bankruptcy:' Be it therefore enacted by Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Office of Secretary of Bankrupts abolished.

I. From and after the Commencement of this Act the Office of the Lord Chancellor's Secretary of Bankrupts shall be abolished.

Appointment of the Chief Registrar of the Court of Bankruptcy.

II. From and after the Commencement of this Act *John Campbell* Esquire, One of the Registrars of the Court of Bankruptcy, shall be the Chief Registrar of the said Court, and he

he and his Successors in Office shall perform all the Duties that have hitherto been performed by the Lord Chancellor's Secretary in Bankruptcy.

Vacancies in Office of Chief Registrar to be filled up from the Registrars.

III. On the Resignation, Removal, or Death of the Chief Registrar of the Court of Bankruptcy for the Time being, the Vacancy thereby occasioned shall be filled up by such One of the Registrars of the said Court for the Time being as the Lord Chancellor shall in that Behalf direct.

Declaration of Insolvency to be filed in Office of Chief Registrar;

IV. From and after the Commencement of this Act, all Declarations of Insolvency and Minutes of Resolutions required to be filed in the Office of the Lord Chancellor's Secretary of Bankrupts by any Acts or Act of Parliament now in force shall be filed in the Office of the Chief Registrar of the Court of Bankruptcy, and shall thereupon have the same Effect and Operation as if they had been filed in the Office of the Lord Chancellor's Secretary of Bankrupts under the Provisions of such Acts or Act.

as also Certificates of unclaimed Dividends.

V. The Certificates by the One hundred and ninety-second Section of "The Bankrupt Law Consolidation Act, 1849," directed to be filed in the Office of the Lord Chancellor's Secretary of Bankrupts, shall, from and after the Commencement of this Act, be filed in the Office of the Chief Registrar of the Court of Bankruptcy.

Certified Copy of Declaration of Insolvency to be Evidence.

VI. A Copy of a Declaration of Insolvency or of such Minute of Resolution filed in the Office of such Chief Registrar under this Act, purporting to be certified by such Chief Registrar or any of his Clerks as a true Copy, shall be received as Evidence of such Declaration or Minute of Resolution respectively having been filed.

Retiring Allowance to Mr. Robert Brown.

VII. 'And whereas *Robert Brown*, One of the Clerks in the Office of such Chief 'Registrar, is now of the Age of Seventy-nine Years, and has been in such Office since 'the Establishment of a Court in Bankruptcy in the Year One thousand eight hundred and 'thirty-one, and in consequence of his Age he is now desirous of retiring from his Office:' Be it therefore enacted, That from and after the Commencement of this Act the said *Robert Brown* shall cease to hold his said Office, and there shall thenceforth be paid to him during his Life the annual Sum of Two hundred Pounds, which annual Sum shall be charged upon the Monies and Securities standing to the Credit of the Account intituled "The Chief Registrar's Account," and shall be payable and paid at such Times as the Lord Chancellor shall by any Order or Orders from Time to Time direct, together with a proportionate Part thereof for the Time which shall have elapsed from the last Payment thereof to the Day of the Death of the said *Robert Brown*.

Appointment of Chief Clerk in the Office of the Chief Registrar.

VIII. From and after the Commencement of this Act *Edward William Smith*, heretofore the Chief Clerk in the Office of the Lord Chancellor's Secretary of Bankrupts, shall be the Chief Clerk in the Office of the Chief Registrar of the Court of Bankruptcy, and shall continue to receive his present Salary of Five hundred Pounds *per Annum* so long as he shall hold such Office of Chief Clerk; and on his Resignation, Removal, or Death, and on the Resignation, Removal, or Death of any of his Successors, it shall be lawful for the Lord Chancellor to appoint a fit and proper Person to supply such Vacancy; and every such future Chief Clerk shall receive the net yearly Salary of Three hundred Pounds, which shall be charged upon the Monies and Securities standing to the Credit of the Account intituled "The Chief Registrar's Account," and shall be payable and paid at such Times and in like Manner as the Salaries of the Registrars of the Court of Bankruptcy are now paid.

All Acts done since Death of late Chief Registrar made valid.

IX. All Acts, Matters, and Things which, since the Death of the late Chief Registrar of the Court of Bankruptcy, have been done and performed in the Office of the Chief Registrar of the said Court, or which, though actually done and performed by some other Officer or Person, ought to have been done and performed by the Chief Registrar, shall be as valid and effectual as if there had been a Chief Registrar of the said Court, and as if such Acts, Matters, and Things had been done and performed by him or under his Authority.

Present Registrar to continue.

X. The Registrar now in attendance upon the Lords Justices of the Court of Appeal sitting in Bankruptcy shall continue to attend their Lordships on the Hearing of such Appeals; and all Appeals to the said Lords Justices, and all Affidavits and Documents

to

to be used on the Hearing of any such Appeal, shall be entered in the Office of such Registrar.

Office of Clerk of Inrolments abolished, and Duties transferred to Office of Chief Registrar.

XI. From and after the Commencement of this Act, the Office of Clerk of Inrolments in the Court of Bankruptcy shall be abolished; and the Duties of the said Office, and the Clerk at present employed therein, and all Records, Proceedings, Books, Papers, and Documents in the Office of the said Clerk of Inrolments shall be transferred to the Office of the Chief Registrar in *Basinghall Street*, such Records, Proceedings, Books, Papers, and Documents to be there kept as Records of the Court, all Persons being at liberty to search for any of the Matters so kept of Record.

Compensation to Clerk of Inrolments.

XII. The present Clerk of Inrolments in the Court of Bankruptcy shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Months after the passing of this Act; and it shall be lawful for the said Commissioners, in such Manner as they shall think fit, to inquire what was the Nature of the said Office, and what was the Tenure thereof, and what were the lawful Salary and Emoluments in respect of which such Compensation should be allowed; and the said Commissioners shall award such Compensation, if any, as they shall think just, and such Compensation shall be charged upon the Monies and Securities standing to the Credit of the Account entitled "The Chief Registrar's Account," and shall be payable and paid at such Times as the Lord Chancellor shall by any Order or Orders from Time to Time direct.

Interpretation of Terms.

XIII. In the Construction of this Act the Expression "Lord Chancellor" shall mean and include the Lord High Chancellor of *Great Britain*, and the Lord Keeper or Lords Commissioners of the Great Seal of the United Kingdom for the Time being.

Commencement of Act.

XIV. This Act shall commence from and after the First Day of *June* One thousand eight hundred and fifty-two.

CAP. LXXVIII.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to complete Improvements in *Pimlico* and in the Neighbourhood of *Buckingham Palace*. [30th *June* 1852.]

'WHEREAS certain Houses and Hereditaments situated in *Pimlico* in the City of *Westminster* and County of *Middlesex* were some Time since purchased with Monies produced by the Sale of Portions of the Hereditary Land Revenues of the Crown, and conveyed to the Crown as Part of the Hereditary Revenues thereof, and such Purchases were made with a view to the Improvement of the great and increasing Thoroughfare near the Entrance into *Saint James's Park* at *Buckingham Gate*, and having reference not only to the Situation of *Buckingham Palace* but to public Convenience in connexion with the Access to the Houses of Parliament and Courts of Law along the *Bird Cage Walk* and *Great George Street*, and for the like Purpose the House No. 16, *James Street*, was also in like Manner purchased, and with a view to effectuate the aforesaid Objects a Portion of the Buildings so purchased, comprising the Houses Nos. 1 to 11 inclusive in *Stafford Row*, with some back Cottages and Stables adjoining, have already been pulled down: And whereas, in connexion with the aforesaid Improvements, and also for the Improvement of the Royal Mews belonging to *Buckingham Palace*, and the widening of the Streets adjoining thereto, there are certain Houses and Buildings in *King's Row* and *Arabella Row*, which are Part of the Hereditary Revenues of the Crown, and which it is desirable should be pulled down, and the Sites thereof appropriated for the Purposes aforesaid, and there are certain other Houses and Hereditaments which it is also desirable to purchase and pull down, and to appropriate the Sites thereof or Part thereof for the Purposes aforesaid: And whereas a Plan hath been prepared by the Commissioners of Her Majesty's Works and Public Buildings of the said Houses and Hereditaments, on which Plan the Houses and Hereditaments so purchased as aforesaid are coloured Purple, and the said Buildings and