CAP. XII.

An Act to enable Her Majesty's Commissioners of Woods to make a new Street from *Coventry Street, Piccadilly*, to *Long Acre*, and for other Improvements in the Metropolis. [10th *May* 1841.]

'WHEREAS an Act was passed in the Second and Third Year of the Reign of Her present Majesty, intituled 2 & 3 Vict. c. 80. '*An Act to empower the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to raise a Sum of Money for making additional Thoroughfares in the Metropolis*,' reciting that in order to remove many of the existing Obstructions which impeded the main Lines of Communication in several Parts of the Metropolis, and for creating new and commodious Thoroughfares in such Districts, so as to afford additional Facilities of Intercourse, it had been proposed to open a convenient Thoroughfare from the End of *Coventry Street* to the Junction of *Newport Street* and *Long Acre*, and to continue the Line of Street from *Waterloo Bridge*, then already completed, to *Bow Street*, from thence Northward into *Broad Street, Holborn*, to extend *Oxford Street* in a direct Line through *Saint Giles*'s, so as to communicate with *Holborn* at or near *Southampton Street*, and to open a spacious Thoroughfare between the populous Neighbourhood of *Whitechapel* and *Spitalfields* and the Docks and Wharfs of the River *Thames*, by widening the Northern and Southern Extremities of *Leman Street*, and by creating a new Street from the Northern Side of *Whitechapel* to the Front of *Spitalfields* Church; and reciting that it was expedient that the carrying into effect such several Alterations and Improvements should be placed under the Direction and Superintendence of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, subject to the Approbation of the Lord High Treasurer or the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* for the Time being; and reciting that the Income of certain of the several Funds therein mentioned, charged by certain Acts therein recited, of the Tenth Year of the Reign of His late Majesty King *George* the Fourth, the Eleventh Year of the Reign of His said late Majesty, and the First and Second Years of the Reign of Her present Majesty, with the Repayment of the several Sums thereby authorized and directed to be raised for the several Purposes therein mentioned, had so much increased as to render it probable that if the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were empowered to raise the Sum of Two hundred thousand Pounds on the Credit of the said several Funds (such Sum of Two hundred thousand Pounds to be applied by them towards the making and completing the several Alterations and Improvements therein-before mentioned),

'tioned), the Surplus of such Funds would be amply sufficient 'to pay the Interest thereof, and also to pay off, on or before 'the Fifth Day of *July* One thousand eight hundred and fifty-'eight, the Principal thereof, as well as the Principal Sums of 'Money and Interest and Annuities then remaining charged 'thereon, it was by the now-reciting Act enacted, that the 'Commissioners for the Time being of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings should be 'and they were thereby appointed Commissioners for executing 'and completing the several Alterations and Improvements 'therein-before mentioned, and for carrying the Purposes of the 'now-reciting Act into execution; and it was thereby enacted, 'that for providing a Fund for the Purposes of the now-reciting 'Act it should be lawful for the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings for 'the Time being, from Time to Time, with the Consent of the 'Lord High Treasurer of the United Kingdom of *Great Bri-*'*tain* and *Ireland*, or of the Commissioners for executing the 'Office of Lord High Treasurer of the said United Kingdom, 'or any Three or more of them, to charge the Funds therein-'after mentioned, and made subject as after mentioned, with 'the Payment of any Sum or Sums of Money not exceeding 'in the whole the Sum of Two hundred thousand Pounds, 'together with Interest on the Sum or Sums to be charged, 'from the Time of charging the same, not exceeding Five 'Pounds *per Centum per Annum*, to be payable half-yearly; 'and it was thereby enacted, that the Fund called "The 'Orphans Fund," and the Fund called "The *London Bridge* 'Approaches Fund," and all and singular the Funds, Duties, 'Impositions, and Revenues created, constituted, imposed, or 'continued by the said therein-recited Acts of the Tenth Year 'of the Reign of King *George* the Fourth, the Eleventh Year 'of the Reign of King *George* the Fourth, and the First and 'Second Years of the Reign of Her present Majesty, or any or 'either of them, should be the Fund to be charged by Her 'Majesty's said Commissioners, and should be applicable, after 'the Sums then already borrowed thereon should have been 'paid off and discharged, to the Payment of all such Monies 'as might be charged thereon by the Commissioners for exe-'cuting the now-reciting Act, and the Interest thereof, until 'the Sum or Sums and Interest to be charged thereon as 'last aforesaid should be paid off and discharged; and it was 'thereby enacted that, for the Purposes of the now-reciting 'Act, it should be lawful for the Commissioners of Her Ma-'jesty's Woods, Forests, Land Revenues, Works, and Build-'ings, by and with the Consent and Approbation of the Lord 'High Treasurer, or the Commissioners of Her Majesty's 'Treasury, for the Time being, to borrow and raise any Sum 'or Sums of Money, not exceeding in the whole the Sum of 'Two hundred thousand Pounds, upon the Credit of the said 'Monies and Interest so to be charged in manner therein men-'tioned; and it was thereby enacted, that the Sum and Sums

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'of Money which the said Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings were 'thereby authorized to charge, or which might be borrowed 'and taken up at Interest by the said Commissioners, in pur- 'suance of the Powers of the said recited Act, should be ap- 'plied, in the first place, in paying all the Charges and 'Expences of or incident to or incurred in the obtaining and 'passing the now-reciting Act, and any other Act for the Pur- 'pose of making and completing the said Improvements, and 'afterwards in paying and discharging the necessary Expences 'of surveying, designing, laying out, making, and completing 'the Streets and other Improvements which were to be made 'and done by the said Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, in such Man- 'ner as might be provided in any Act to be passed for that 'Purpose; and it was thereby enacted, that it should be lawful 'for the said Commissioners for executing the said Act, and 'they were thereby 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 *Ire- 'land*, or of the Commissioners for executing the Office of Lord 'High Treasurer, or any Three or more of them, to cause 'proper Surveys and Plans to be made of the Direction of the 'said intended Thoroughfares or Streets, and to submit the 'same for Approval to the Lord High Treasurer, or the Com- 'missioners for executing the Office of Lord High Treasurer: 'And whereas an Act was passed in the Third and Fourth 3 & 4 Vict. c. 87. 'Year of the Reign of Her present Majesty, intituled *An Act 'to enable Her Majesty's Commissioners of Woods, Forests, Land 'Revenues, Works, and Buildings to make additional Thorough- 'fares in the Metropolis*, reciting the herein-before recited Act 'of the Second and Third Year of the Reign of Her present 'Majesty, and also reciting that the Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Build- 'ings had, by and with the Consent and Approbation of the 'Lords Commissioners of Her Majesty's Treasury, and in 'pursuance of the Provisions contained in the said last-men- 'tioned Act, caused Surveys and Plans to be made of Three 'of the said intended new Thoroughfares or Streets mentioned 'or referred to in the said Act, and which said Three new 'Thoroughfares or Streets were proposed to be made in the 'following Lines or Directions; (namely,) one of such Streets 'was intended to be commenced from the East End of *Oxford 'Street*, and to run from thence in or nearly in a direct Line 'therewith Eastward into *Holborn*, at or near the South End 'of *Southampton Street*, *Bloomsbury Square*; another of such 'Streets was intended to commence from the North Side of *Long 'Acre*, opposite *Bow Street*, and to run from thence in or 'nearly in a North-west Direction to *Charlotte Street*, *Blooms- 'bury*; and the other of such Streets was intended to commence 'from or near to the *London* Docks, and to run from thence 'into *Leman Street*, and from thence in a North-west Direction

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'nearly in a direct Line with *Leman Street* to the West Front 'of *Spitalfields* Church; and reciting that it was expedient that 'the Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings should be authorized and 'empowered, by and out of the Monies which they were by the 'said recited Act of the Second and Third Year of the Reign 'of Her present Majesty authorized to raise as aforesaid, and 'the Monies which they were by the now-reciting Act autho-'rized and empowered to charge and raise, and other the 'Monies by the now-reciting Act made applicable to the 'Purposes of that Act, to make, form, and complete the said 'Three Thoroughfares or new Streets from *Oxford Street* to '*Holborn*, from *Long Acre* to *Charlotte Street*, and from the '*London* Docks to *Spitalfields* Church, as therein-before was 'mentioned, and to divert, alter, widen, and improve such 'Parts of the present Streets as would form Entrances into 'such new Streets, or into the Streets, Squares, and Places 'connected therewith, according to the Plans therein men-'tioned; it was by the now-reciting Act enacted, that it should 'be lawful for the Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, for the Time 'being, and they were thereby authorized and empowered, to 'make, form, and complete the several new Streets, Improve-'ments, and Alterations therein-before mentioned; and it was 'thereby further enacted, that the said Funds by the said 'recited Act of the Second and Third Year of the Reign of 'Her present Majesty authorized to be charged by the said 'Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings, should be the several Duties 'on Coals imported into the Port of *London*, and brought by 'inland Conveyance, the Duty on Wine, the several annual 'Sums charged on the Revenues of the City of *London*, 'amounting to the annual Sum of Eleven thousand five hun-'dred Pounds, the Fees payable on the Admission of Freemen 'and on the binding of Apprentices, and for Aqueducts, and 'which said Funds respectively were in and by the said recited 'Act mentioned or referred to; and it was thereby further 'enacted, that all and every the Monies by the said recited 'Act of the Second and Third Year of the Reign of Her 'present Majesty authorized to be charged and borrowed 'should, subject to the Application thereof so directed to be 'made by the said recited Act, be applied by the Commissioners 'of Her Majesty's Woods, Forests, Land Revenues, Works, and 'Buildings to the carrying into effect the Purposes of the now-'reciting Act; and it was thereby further enacted, that it should 'be lawful for the said Commissioners of Her Majesty's Woods, 'Forests, Land Revenues, Works, and Buildings, by and with 'the Consent and Approbation of the Lord High Treasurer, 'or the Commissioners of Her Majesty's Treasury for the Time 'being, (in addition to and over and above the Sum of Two 'hundred thousand Pounds by the said therein and herein-'before recited Act of the Second and Third Year of the

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'Reign of Her present Majesty authorized to be raised and 'borrowed upon the Credit of the Monies and Interest therein 'mentioned,) to charge, borrow, and raise, for the Purposes of 'the now-reciting Act, any further Sum or Sums of Money, 'not exceeding in the whole the Sum of One hundred thousand 'Pounds, upon the Credit of the Monies and Interest in the 'said Act mentioned, and therein-before specified as the Funds 'by the said recited Act authorized to be charged: And 'whereas an Act was passed in the Third and Fourth Year of 'the Reign of Her present Majesty, intituled *An Act to continue* 'for Four Years from the Fifth Day of* July *One thousand eight 'hundred and fifty-eight the Duties now levied on Coal and Wines 'imported into the Port of* London, reciting, amongst other 'things, the herein-before recited Act passed in the Second and 'Third Year of the Reign of Her present Majesty; and reciting, 'that for the providing a Fund for the making additional 'Thoroughfares and Improvements in the Metropolis, to be 'executed under the Direction of the Lord High Treasurer or 'the Commissioners of Her Majesty's Treasury, and more par- 'ticularly an intended Thoroughfare from *Coventry Street* to '*Long Acre* in the County of *Middlesex*, and another intended 'Thoroughfare from *Southwark* to *Westminster Bridge* in the 'County of *Surrey*, and for completing certain Thoroughfares 'in the City of *Westminster* and *Clerkenwell* in the said County 'of *Middlesex*, in such Manner as should be provided and 'determined by any Act to be passed in the then present or any 'future Session of Parliament, it was expedient that the Duty 'on Coals and Culm and Small Coal imported into the Port of '*London* or the River *Thames* within the Liberty of the said 'City, imposed or continued by the Act of the Tenth Year of 'the Reign of His late Majesty King *George* the Fourth for the 'Term of Twenty-one Years from the Fifth Day of *July* One 'thousand eight hundred and thirty-seven, should be continued 'for a further Term of Four Years from the said Fifth Day of '*July* One thousand eight hundred and fifty-eight, when the 'same would otherwise cease, and that the Duty on Wines 'granted as therein is mentioned should continue payable for 'a further Term of Four Years; it was by the now-reciting 'Act enacted, that all and every the Rates, Impositions, and 'Duties on Coal imported into the Port of *London* or the River '*Thames* within the Liberty of the said City, which by the said 'Act of the Tenth Year of the Reign of King *George* the 'Fourth were continued for a Term which would expire on the 'Fifth Day of *July* One thousand eight hundred and fifty-eight, 'should be and were thereby continued and made payable 'for the further Term of Four Years from the Fifth Day of *July* 'One thousand eight hundred and fifty-eight; and it was 'thereby further enacted, that for the Purposes aforesaid the 'Duty of Four Shillings *per* Tun on Wines imposed by the 'Act of the Fifth and Sixth Year of the Reign of King *William* 'and Queen *Mary*, therein recited, should continue and be 'payable in all respects as the same was then payable for the

3 & 4 Vict. c. cxxxi.

'further Term of Four Years from the Fifth Day of *July* One 'thousand eight hundred and fifty-eight: And whereas the 'Commissioners of Her Majesty's Woods, Forests, Land Re- 'venues, Works, and Buildings have, with the Consent and 'Approbation of the Lords Commissioners of Her Majesty's 'Treasury, caused a Survey and Plan to be made of the said 'intended Street or Thoroughfare from the East End of '*Coventry Street* to the West End of *Long Acre*, mentioned or 'referred to in the said last before recited Act of the Third and 'Fourth Year of the Reign of Her present Majesty, which said 'Thoroughfare or new Street is or will be situate in the several 'Parishes of *Saint Martin in the Fields* and *Saint Ann Soho* in 'the said County of *Middlesex*: And whereas, in order to make 'the Thoroughfare or new Street authorized to be formed and 'made by the first herein-before recited Act of the Third and 'Fourth Year of the Reign of Her present Majesty, from the '*London* Docks to *Spitalfields* Church, more complete and per- 'fect, it is expedient to make and form a new Thoroughfare or 'Street, to commence at the East End of *East Smithfield* near 'to the Entrance of the *London* Docks, and to extend from 'thence into *Rosemary Lane* nearly opposite to the South End 'of *White Lion Street*, where such Thoroughfare or new Street 'will join the said Thoroughfare or new Street so authorized to 'be made and formed by the said first herein-before recited Act 'of the Third and Fourth Year of the Reign of Her present 'Majesty as aforesaid: And whereas the Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Build- 'ings have, with the Consent and Approbation of the Lords 'Commissioners of Her Majesty's Treasury, caused a Survey 'and Plan to be made of the said Thoroughfare or new Street 'from *East Smithfield* to *Rosemary Lane*, which said Thorough- 'fare or new Street will be situate in the Parishes of *Saint John* '*Wapping* and *Saint Mary Whitechapel* in the said County of '*Middlesex*: And whereas the said Surveys and Plans, made 'under the Direction of the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings as afore- 'said, have been submitted to the Commissioners of Her Ma- 'jesty's Treasury, and the same have been approved by them: 'And whereas it is expedient that the said new Thoroughfares 'or Streets, from the East End of *Coventry Street*, *Piccadilly*, to 'the West End of *Long Acre*, and from *East Smithfield* to *Rose- 'mary Lane*, should be also made, formed, and completed by the 'Commissioners of Her Majesty's Woods, Forests, Land Revenues 'Works, and Buildings: And whereas an Act was passed in 'the Second Year of the Reign of Her present Majesty, in- 'tituled *An Act for making a new Street from* Holborn Bridge 1 & 2 Vict. 'in the City of London *towards* Clerkenwell Green, under c. lxxxiii. 'which Act the Mayor, Commonalty, and Citizens of the City 'of *London* have purchased certain Lands, and have pulled 'down the Buildings thereon, and cleared the Site for the 'said intended Street, to or nearly to the South-western Boun- 'dary of the County of *Middlesex*: And whereas an Act was

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'passed in the Third and Fourth Year of the Reign of
3&4 Vict. c. cxii. 'Her present Majesty, intituled *An Act for opening a Street to* 'Clerkenwell Green *in the County of* Middlesex, *in continuation* '*of the new Street from* Farringdon Street *in the City of* London, 'under which last-mentioned Act certain Persons are appointed 'Commissioners for making a Street from the Termination of 'the Street authorized to be made by the said recited Act of 'the Second Year of the Reign of Her present Majesty to '*Clerkenwell Green:* And whereas essential Benefit would be 'afforded to the Public by the Completion of a Line of Com- 'munication between *Southwark* and *Westminster Bridge*, now 'partly existing through *Stamford Street, Blackfriars*, which, in 'communication with the *York Road*, would make a continuous 'Line of broad and open Street from *Westminster Bridge* to '*London Bridge*, and provide a ready Means of Communication 'between the Terminus of the *Brighton* and *Kent* Railroads 'situate at *London Bridge* and the whole of the West End of 'the Metropolis: And whereas essential Benefit would also be 'afforded to the Public if a spacious and convenient Com- 'munication were made between the Neighbourhood of the 'Parliament Houses and that of *Buckingham Palace*, passing 'through a District in the City of *Westminster* which is now 'very insalubrious by reason of the Want of a sufficient Drain- 'age, and for other Causes, which would be thereby removed: 'And whereas it is expedient that the Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Build- 'ings should be authorized, by and with the Consent and 'Approbation of the Lord High Treasurer or the Commis- 'sioners of Her Majesty's Treasury, to advance, or to ap- 'propriate and apply, out of the Monies to be borrowed and 'raised by them under the Provisions of this Act, any Sum 'not exceeding the Sum of Twenty-five thousand Pounds, 'towards the Expences attending the forming, making, and 'completing the said Street, from the Termination of the 'Street authorized to be made by the Mayor, Commonalty, 'and Citizens of the City of *London*, under the said recited 'Act of the Second Year of the Reign of Her present Ma- 'jesty, to *Clerkenwell Green*, and any Sum not exceeding the 'Sum of Thirty thousand Pounds towards the Expence of 'forming, making, and completing a Line of Street between '*Southwark* and *Westminster Bridge*, and also any Sum not 'exceeding the Sum of Thirty-nine thousand Pounds towards 'the Expence of forming, making, and completing a spacious 'and convenient Communication, as aforesaid, between the 'Houses of Parliament and *Buckingham Palace*, in such Man- 'ner as is herein-after provided; and for the Purpose of pro- 'viding a Fund to enable the said Commissioners to effect 'the several Objects aforesaid it is expedient that they the said 'Commissioners should be authorized to charge the said Funds 'by the said recited Act of the Second and Third Year of the 'Reign of Her present Majesty authorized to be charged by 'the said Commissioners, and defined and specified by the said

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'first-recited Act passed in the Third and Fourth Year of the 'Reign of Her present Majesty, (subject nevertheless to the 'said several Sums of Two hundred thousand Pounds and One 'hundred thousand Pounds, and Interest, which they are 'already authorized to charge as aforesaid,) and also the 'Funds made applicable thereto by the secondly herein-before 'recited Act of the Third and Fourth Year of the Reign of 'Her present Majesty, with any further Sum or Sums of 'Money not exceeding in the whole the Sum of Two hun-'dred and fourteen thousand Pounds:' May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, and they are hereby authorized and empowered, to make, form, and complete the said new Street from the East End of *Coventry Street, Piccadilly*, to the West End of *Long Acre*, and also the new Street from the East End of *East Smithfield* to *Rosemary Lane*, respectively herein-before mentioned, and to carry the Purposes of this Act into execution in manner herein-after mentioned, and according to such Plans as aforesaid.

Commissioners of Woods empowered to make new Streets.

II. And be it enacted, That for the Purposes of this Act and of the said first-recited Act, and of all Matters and Things hereby authorized to be done under the Authority of this Act or of any other Act, the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Time being, shall be and they are hereby constituted a Corporation by the Name and Style of "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings," in order to enable them to execute and carry into effect the several Powers and Purposes of this Act, and such other Powers and Purposes as aforesaid, and by that Name, for the Purposes of this and the aforesaid Act, they the said last-mentioned Commissioners shall and may have perpetual Succession, and use a Common Seal, to be by them from Time to Time altered as they shall think fit, and shall and may sue and be sued, implead and be impleaded, and take Lands and Hereditaments to them and their Successors for ever, for the Purposes of this Act and the said recited Act; and further, that the said Commissioners and their Successors, as such Corporation as aforesaid, shall and may execute and do all such Acts, Matters, and Things as by the said first-recited Act are authorized to be done by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being; and that for the Purposes of this Act and of the secondly herein-before recited Act all the Powers, Authorities, and Provisions contained in the firstly-recited Act shall continue in full force and virtue.

Commissioners of Woods to be a Corporation for the Purposes of this Act.

III. And

Commissioners of Woods, &c. empowered to charge the Funds after mentioned with any Sum not exceeding 214,000*l.*

III. And be it enacted, That for providing a Fund for the Purposes of this Act it shall and may be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from Time to Time, with the Consent and Approbation of the Lord High Treasurer, or of the Commissioners for executing the Office of Lord High Treasurer of the said United Kingdom, or any Three or more of them, from Time to Time, or at any one Time, to charge the Funds herein-after mentioned, and made subject as herein-after mentioned, with the Payment of any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred and fourteen thousand Pounds, together with Interest on the Sum or Sums to be charged from the Time of charging the same, at such Rate as shall be approved of by the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, to be payable half-yearly, such Sum of Two hundred and fourteen thousand Pounds being in addition to the several Sums amounting together to the Sum of Three hundred thousand Pounds which the said Commissioners are so as aforesaid authorized to charge for the Purposes aforesaid.

Funds to be charged.

IV. And be it enacted, That the several Funds which by the said Two first-recited Acts the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings were authorized to charge as aforesaid (subject to the Sums already charged and authorized to be charged thereon), and the said Funds and Duties continued and made payable as aforesaid for the further Term of Four Years by the thirdly herein-before recited Act, as aforesaid, shall be and are the Funds to be charged by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, for the Purposes of this Act, under the Power aforesaid, and such several Funds shall, subject as aforesaid, be applicable to the Payment of all such Monies as may be so charged thereon by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and the Interest thereof, until the Sum or Sums, and Interest to be charged thereon, as last aforesaid, shall be paid off and discharged.

Application of the Monies borrowed under this Act.

V. And be it enacted, That the said Funds so to be charged as aforesaid shall (subject as aforesaid) be paid and applied in satisfaction and discharge of all Monies to be charged thereon by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, as aforesaid, and the Interest thereof, in such Manner, and from Time to Time as the same shall be received, and as the said Commissioners shall order and direct.

Treasury empowered to authorize the Exchequer Bill Commissioners to advance Monies on the Credit of the

VI. And be it enacted, That it shall and may be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, or any Three or more of them, (if he or they shall think it expedient,) to authorize and direct the Commissioners for issuing Exchequer Bills for Public Works, acting in execution of an Act passed in the Fifty-seventh Year

Year of the Reign of His late Majesty King *George* the Third, and of several subsequent Acts for amending and extending the same, to advance and lend to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on the Credit of the said Sum of Two hundred and fourteen thousand Pounds, which the said Commissioners are by this Act authorized to charge as aforesaid, any Sum or Sums of Money in Exchequer Bills, not exceeding the Sum of Two hundred and fourteen thousand Pounds, and the Repayment thereof, with Interest from the Time or respective Times of advancing the same, at such Rate as shall be approved of by the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury for the Time being, shall be secured in such and the like Manner as in and by the said recited Act of the Second and Third Year of the Reign of Her present Majesty is provided with respect to the Monies thereby authorized to be advanced out of the Consolidated Fund by the Lord High Treasurer or the Commissioners of Her Majesty's Treasury, or in such other Manner as the Lord High Treasurer or the Commissioners of Her Majesty's Treasury may order or direct; and the Lord High Treasurer or the Commissioners of Her Majesty's Treasury may authorize and direct such Sum or Sums of Money to be advanced and lent to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by such Instalments and from Time to Time as the said Lord High Treasurer or the Commissioners of Her Majesty's Treasury may think fit, and such Sum or Sums of Money may be so lent and advanced by the said Commissioners for issuing Exchequer Bills at any Time or Times hereafter, and notwithstanding that by reason of the prior Charges there may not be at the Time or respective Times of advancing the same any Fund for the Payment of the Interest of such Sum or Sums: Provided always, that notwithstanding any of the Provisions contained in the first hereinbefore recited Act of the Third and Fourth Year of the Reign of Her present Majesty it shall and may be lawful for the Lord High Treasurer or the Commissioners of Her Majesty's Treasury to fix and determine the Rate of Interest to be paid by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to the Commissioners for the Issue of Exchequer Bills, on any Sum or Sums of Money which may be advanced by them to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under the Powers and Provisions of the said first hereinbefore recited Act of the Third and Fourth Year of the Reign of Her present Majesty, as aforesaid, and the said Commissioners for the Issue of Exchequer Bills are hereby authorized and required to advance such Sum or Sums of Money at the Rate of Interest which may be so fixed and determined as aforesaid.

Funds made chargeable by this Act.

VII. And be it enacted, That Maps or Plans describing the Lines of the said intended Streets, when signed by the Lord High

Streets to be made according to Maps or Plans to be

deposited in the Office of Woods.

High Treasurer or the Commissioners for executing the Office of Lord High Treasurer, or any Three of them, and the Places, Buildings, Tenements, and Hereditaments on the Site of which the same Streets are proposed to be made, shall be deposited at the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and the Maps or Plans so deposited at the Office of the said Commissioners shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

No Alteration in Lines of Streets to be made without Consent of Treasury.

VIII. And be it enacted, That no Alteration or Change shall be made in the Lines of the said Thoroughfares or Streets, as shown in such Plans, unless the same shall be approved by the Lord High Treasurer, or the said Commissioners of Her Majesty's Treasury, for the Time being, or any Three or more of them.

Power to deviate.

IX. And be it enacted, That the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in making the said new Streets, Alterations, and Improvements, shall not deviate more than Fifty Feet from the Lines described in the aforesaid Maps or Plans respectively, without the Consent and Approbation of the Person or Persons Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made.

Commissioners may appoint Officers.

X. And be it enacted, That the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall and may and they are hereby empowered from Time to Time to appoint such and so many Clerks and other Officers and Persons as they shall deem necessary to employ in the Execution of this Act, and may from Time to Time remove such 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 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, and as shall be approved of by the said Lord High Treasurer, or the said Commissioners of Her Majesty's Treasury, for the Time being, or any Three or more of them: Provided always, that the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall and may, if they shall think proper so to do, take such Security, either to themselves or Her Majesty, from any Clerk, 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.

Proceedings when entered to be Evidence.

XI. And be it enacted, That all such Orders and Proceedings of the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in the Execution of this Act, which shall be entered in a Book or Books to be kept for that Purpose, shall, when so entered and signed by the said Commissioners or any Two of them, be deemed

deemed to be Originals, and such Book or Books shall be admitted as Evidence in all Courts whatsoever.

Commissioners may lay out Foot and Carriage Ways.

XII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to cause such Part of the said intended Streets to be laid out for Carriageways, and such Part thereof for Foot Passengers, as they shall think proper.

Power to alter and stop up the Streets and Ways.

XIII. And be it enacted, That it shall be lawful for the said Commissioners to alter, divert, stop up, or enclose such Streets, Courts, Alleys, Ways, or Passages, and void Ground, or such Part and Parts thereof as shall be necessary to be altered, diverted, stopped up, or enclosed for the Purposes of this Act; and the Ground and Soil of such Streets, Courts, Alleys, Ways, Passages, and void Ground, or Parts thereof respectively, as shall be stopped up and enclosed, and the Fee Simple, and Inheritance thereof, shall be and are hereby vested in the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and their Successors, for the Purposes of this Act.

Power to stop up Ways during the Execution of this Act.

XIV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, during the making of the said Streets and Thoroughfares, to stop up or cause to be stopped up all or any Part of the Carriage or Foot Ways of Streets and other Places as shall be necessary for the Purposes of this Act, and for that Purpose to put up or cause to be put up sufficient Palisadoes, Bars, Posts, and other Erections, and to make such Orders for regulating the Passage of all Carts, Carriages, and Horses, as to them shall seem proper.

Streets may be raised or lowered.

XV. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to raise or lower, or cause to be raised or lowered, the Ground of any Streets or Ways which shall communicate with the said Streets to be made as aforesaid, or any Part or Parts thereof respectively, making Compensation to the Owners of Houses injured by such Alterations as shall be agreed on by and between the Parties.

Directing how the Pavements shall be laid and made.

XVI. Provided always, and be it enacted, That the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall, out of the Monies to be raised by them under the Provisions of this Act, in a substantial and workmanlike Manner fill in or cause to be filled in all and every the Vaults, Cellars, and open Places over which it may be necessary, for the Purposes aforesaid, or any of them, to new pave (except such as may be used again as Cellars, Vaults, or Areas), with good sound hard Brick Rubbish, to be well rammed down to prevent the Ground from giving way; and shall and will effectually pave over, either with Stone, Wood, or other Material, or macadamize, all the said Ground, and the said Streets or Ways, with a sufficient Quantity of Materials, of proper Qualities and Dimensions; and shall in like Manner erect and build any Arch or Arches which they may

think necessary, and also relay, pave, or macadamize and repair all and every Part of the Streets, Ways, and Passages which they shall disturb or alter in carrying the Purposes of this Act into execution: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to charge the said Monies to be applied for the Purposes of this Act with repairing or making good such Pavement or Arches in future, but that from and after the same shall be so paved, relaid, and repaired as aforesaid the same shall for ever thereafter be kept in repair by and at the Expence of the respective Parishes to which the same shall respectively belong, or of the Commissioners liable to repair the Streets or Thoroughfares in the Places in which the same shall be; and that the Right and Property of all Pavements, Arches, Stones, Wood, and Bricks, so to be laid as aforesaid, shall belong to and be the Property of the said respective Parishes or Commissioners, or other Persons or Bodies, in the same Manner as Things of a like Description in other Parts of the said Parishes respectively are now or may be vested by Law.

Sewers or Drains to be arched over or filled up.

XVII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and they are hereby authorized and empowered, out of the Monies to be raised by them under the Powers and Provisions of this Act, to cause to be arched over or filled up all such Sewers and Drains, or Part or Parts thereof, which shall lie and be in or near the said Streets or Ways to be made, altered, diverted, or stopped up or enclosed as aforesaid respectively, as shall appear necessary for completing the Purposes of this Act, so that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured, or prejudiced, without another Sewer or Drain 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 shall cause to be made and built other good and sufficient Sewers and Drains, to be approved by the Commissioners of Sewers, 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, Management, and Direction of the Commissioners of Sewers of the District in which the same shall be: Provided also, 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, to be rebuilt or re-made of larger Capacity than the ordinary Size generally used by the Commissioners of Sewers, and shall give Notice to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings of such 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

shall be rebuilt or re-made of such enlarged Dimensions as the said Commissioners of Sewers may require; and such Commissioners of Sewers shall bear and pay the Difference in Expence that may be occasioned by such enlarged Capacity; and in case any Difference shall arise as to the Sum to be paid by the said Commissioners of Sewers, then it shall be referred to the Decision of Two Arbitrators, or, if they shall differ, to an Umpire, to be named by the Two Arbitrators, one of such Arbitrators to be named by the said Commissioners of Sewers, and the other by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings.

Power to alter Steps, Areas, Pipes, &c.

XVIII. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, out of the Monies to be raised by them as aforesaid, to raise, sink, or otherwise alter or cause to be altered the Position of any of the Steps, Areas, Cellars, Windows, and Water Channels, Pipes, or Spouts belonging to any House or Houses, and also the Mains and the Leaden or other Pipes which, for the Purposes of conveying Water or Gas to any House or other Place, shall be laid into or from any Main or Pipe laid down by any of the Companies or Societies who furnish the Inhabitants with Water or Gas, in such Manner as shall be consistent with the Acts of Parliament incorporating such Companies or Societies (if any) and to remove all other Obstructions, so as the same respectively be done with as little Detriment and Inconvenience to the said Companies, Societies, and Inhabitants as the Circumstances of the Case will admit.

Ground laid into the Streets to form Part thereof.

XIX. And be it enacted, That when the said Streets shall be made in pursuance of this Act, all the Ground, Land, and Hereditaments which shall be laid open into the said Streets, and paved as aforesaid, shall form Part of the said Streets, and shall be used by the Public accordingly; and the same, and the sole Power and Authority of paving, repairing, cleansing, lighting, and watching thereof, and of rating the Lands, Tenements, and Hereditaments situate and being within the same, shall be under the Care, Management, Control, and Jurisdiction of the same Parishes or Places, or Commissioners, as possess such Power and Authority in respect of the Sites of such Streets, or any Part thereof, at the Time of the passing of this Act, or as the other Streets and Ways in the Parishes or Places in which the same respectively shall be situate.

Power to take Houses and Land.

XX. And be it enacted, That for the Purposes of making the said Carriageways and Footways, and of providing the Sites necessary for the Houses and Buildings to form the said Streets, and generally for the Purposes of this Act, it shall be lawful for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and they are hereby authorized and empowered, to take and use, or cause to be taken and used, any Tenements or Hereditaments, and pull down and remove, or cause to be pulled down and removed, any Houses or Buildings which it may be deemed necessary and

expedient to take, use, or pull down and remove for the Purposes of this Act, at any Time at the Expiration of Six Calendar Months after Notice in Writing from the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or their Agent duly authorized, of the Intention to take or use the same, shall either be given to the principal Officer of the Body Politic, Corporate, or Collegiate, or to the Person or Persons who shall be the Owners and Occupiers of such Tenements or Hereditaments, or in case he, she, or they cannot be found or ascertained, left at the usual or last Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the same Tenements or Hereditaments, or shall be fixed upon the same Premises; and for the Purposes of this Act the Owner shall be any Person hereby capacitated to sell.

No House, &c. to be taken without Consent, unless mentioned in Schedule.

XXI. Provided always, and be it enacted, That no Houses or Buildings, Garden or Yard belonging to a House, shall be taken or made use of for the Purposes of this Act, except such as are mentioned in the Schedule hereunto annexed, or as are situated within the Limits of the Deviation herein-before authorized, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

Premises may be taken notwithstanding Errors in the Schedule.

XXII. And be it enacted, That it shall be lawful for the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to purchase, take down, and use for the Purposes of this Act any of the Houses, Buildings, and other Hereditaments described in the said Plan or Plans to be deposited in the Office of the said Commissioners as aforesaid, as intended to be taken for the Purposes of this Act, although the same Houses, Buildings, and other Hereditaments, or the Name or Names of the Owner or Owners, Occupier or Occupiers thereof, may happen to be erroneously stated or omitted in the Schedule hereunto annexed, in case it shall appear to any Two or more of the Justices of the Peace for the County of *Middlesex*, and be certified under their Hands, that such Error or Omission proceeded from Mistake or erroneous Information.

Power to Commissioners, their Surveyors, &c. to enter upon Houses, &c. for surveying or valuing.

XXIII. And be it enacted, That it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and for the Surveyor or Surveyors, Officers, and Workmen, from Time to Time, at all reasonable Times in the Daytime, upon giving Notice in Writing, for the first Time Twenty-four Hours, and afterwards from Time to Time Twelve Hours previous Notice, to enter into and upon all or any of the said Tenements and Hereditaments authorized to be taken and used as aforesaid, or any of them, for the Purpose of surveying or valuing the said Premises, without being deemed a Trespasser or Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment on account of entering or continuing upon any Part or Parts of the said Tenements and Hereditaments, for the Damages that shall be thereby occasioned.

XXIV. And

Commissioners empowered to treat for the Purchase of Houses, &c.

XXIV. And be it enacted, That it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and they are hereby empowered, to treat and agree for the Purchase of any Tenements and Hereditaments which they may deem necessary for the Purposes of this Act to be taken and used by them, and of any subsisting Leases, Terms, Shares, Estates, and Interests therein, and Charges thereon, or such of them, or such Part or Parts thereof respectively, as the said Commissioners shall think proper, and to enter into any Contract or Contracts which they may think fit.

Houses to be purchased to be conveyed to Commissioners of Woods, &c.

XXV. And be it enacted, That the Messuages and other Hereditaments which shall be purchased in pursuance of this Act shall be conveyed to the said Commissioners and their Successors, or to such Persons as the said Commissioners for the Time being shall direct, in Trust for the Purposes of this Act, and to be conveyed, leased, or otherwise disposed of as the said Commissioners under the Powers herein contained shall direct, and that until the same shall be sold and disposed of the Rents and Profits thereof shall be received and applied by the said Commissioners for the Purposes of this Act, or any of them.

Limitation of Power of purchasing Houses, &c.

XXVI. And be it enacted, That if the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall not within the Space of Five Years, to be computed from the passing of this Act, purchase or take the Tenements and Hereditaments or Parts thereof respectively which they are empowered by this Act to take, use, and purchase as aforesaid, then and from thenceforth the Powers hereby granted to them for such Purchase shall cease, determine, and be utterly void.

Bodies Politic and Trustees and other Persons empowered to sell and convey.

XXVII. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and for all Trustees and Feoffees in Trust for charitable and other Purposes, and all Executors and Administrators, not only for and on behalf of themselves, their Successors, Heirs, Executors, and Administrators respectively, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Femes Covert, Idiots, Lunatics, or Persons not born or not ascertained, or any other Person or Persons whomsoever, and to and for all Tenants for Life, or for Years, absolute or determinable on any Life or Lives, and all Persons having any other partial or qualified Estate or Interest, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Issue, but also for and on behalf of the Person or Persons entitled in Remainder, Reversion, Expectancy, or Contingency, or for any other future Estate or Interest, where such Person, or any of such Persons, whether entitled to the next or any subsequent Estate or Interest, or any Part thereof, shall not be ascertained, or shall be incapable of contracting for, selling, or conveying the same, and to and for all Guardians on behalf of their respective Wards, Husbands on behalf of

their respective Wives, Committees on behalf of the Persons of whose Estates they shall be Committees, and the Heirs, Executors, and Administrators, and Issue of such Wards, Wives, or Persons respectively, and to and for all Femes Covert entitled in their own Right to any such Tenements or Hereditaments, or to Dower or other Interest therein, on behalf not only of themselves, but also of their respective Heirs, Executors, Administrators, and Issue, and also where such Wards, Wives, Persons, or Femes Covert respectively shall be Tenants for Life or in Tail, or for Years, or have any other partial or qualified Estate or Interest, to and for such Guardians, Husbands, Committees, and Femes Covert, on behalf of the Person or Persons on behalf of whom such Wards, Wives, Persons, or Femes Covert respectively, if of full Age, unmarried, and of sound Mind, might have contracted for, sold, and conveyed the same Tenements or Hereditaments, and to and for all and every other Person or Persons whomsoever who are or shall be seised or possessed of or interested in any Tenements or Hereditaments which by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall be thought necessary for any of the Purposes of this Act, to contract for, sell, and convey the same, and every or any Part thereof, to the said Commissioners and their Successors, or to such Person or Persons as the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall direct for the Purposes of this Act; and all Contracts, Agreements, Bargains, Sales, 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, and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which they, he, she, or any of them shall respectively make by virtue or in pursuance of this Act.

Satisfaction for the Value of Premises taken may be accepted.

XXVIII. And be it enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, and other Person and Persons, herein-before capacitated to contract for, sell, and convey any such Tenements or Hereditaments as aforesaid, and any other Owner or Owners of any such Tenements or Hereditaments, or any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, may accept and receive such Satisfaction and Recompence for the Value thereof; and such Body or Bodies, Trustee or Trustees, Person or Persons, Owner or Owners, and also any Tenant or Tenants, or other Occupier or Occupiers of any such Premises, entitled to any Compensation for Tenants Fixtures, and for any other Injury or Damage as shall be sustained on account of the Execution of this Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them

them respectively and the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and in case the said Commissioners, and the said Parties interested in such Tenements or Hereditaments or Fixtures, or sustaining any Injury or Damage, cannot or do not agree as to the Amount or Value of such Satisfaction, Recompence, or Compensation, the same respectively shall be ascertained and settled by a Jury in manner herein-after directed.

If Parties cannot agree the Amount to be settled by a Jury.

XXIX. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or their Agent duly authorized, of the Intention to take or use any Tenement or Hereditament, or any Part thereof, for the Purposes of this Act, shall have been given, left, or affixed as herein-before is mentioned, all and every Body and Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and other Person and Persons, seised, possessed of, or interested in, or authorized by this Act to accept and receive Satisfaction or Recompence for the Value of the same, or any Estate, Share, or Interest therein or Charge thereon, having or claiming to be entitled to any Compensation for any Goodwill or Improvements, or for Fixtures, or for any Injury or Damage sustained on account of the Execution of this Act, shall deliver or cause to be delivered to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by leaving the same at their Office, a Statement in Writing of the Particulars of the Estate, Share, Interest, or Charge which he, she, or they claim to be entitled to, or to be authorized to receive in Satisfaction or Recompence for, and of the Goodwill and Improvements which may be lost, and of the Fixtures, and of the Injury or Damage sustained by him, her, or them, and of the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive in Satisfaction or Discharge for the Value of such Estate, Share, Interest, or Charge, and also the Amount of the Sum or Sums of Money which he, she, or they may expect and be willing to receive as Compensation for such Goodwill and Improvements, and Fixtures, and for such Injury or Damage respectively.

Parties to deliver a Statement of their Estates and Claims within One Calendar Month after Notice.

XXX. And be it enacted, That if any Owners or Proprietors, 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, Ground, Tenements, or Hereditaments, or in any Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, which the said Commissioners are hereby empowered to purchase, take, and use for the Purposes aforesaid, 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, or with the Person or Persons authorized by them, for the Sale and Disposal

If Parties refuse to treat, or shall not agree, a Jury to be summoned in manner herein mentioned.

posal of their respective Estates and Interests 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, then and in every or any such Case the High Bailiff of the City and Liberty of *Westminster* or his Deputy as regards any Hereditaments which may be situate within the Liberty of *Westminster*, and the Sheriff of *Middlesex* or his Under Sheriff as regards any other Hereditaments, or in case such Sheriff or Under Sheriff, 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, in manner herein-after mentioned, and he or 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* as regards Hereditaments within the said Liberty of *Westminster*, and of the said County of *Middlesex* as regards any other Hereditaments, which Oaths the said Sheriff, Under Sheriff, High Bailiff or his Deputy, or Coroner, is and are hereby empowered and required to administer, what Damages will be sustained by and what Recompence and Satisfaction will be made to, such Owners, Occupiers, or other Person or Persons interested, for the Value of such Houses, Buildings, Grounds, 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 or 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, Ground, 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 Alterations or Improvements intended by this Act had not been in contemplation, and also for and on account of the taking of such Houses, Buildings, Grounds, Tenements, or Hereditaments for the Purposes or under and by virtue of the Authority of this Act, and the said Jury in estimating such Recompence and Satisfaction shall take into their Consideration the Increase in Value of the Residue of any Property of which such Tenements or Hereditaments shall form Part; and in order thereto the said Sheriff, 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 Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner

ner is and are hereby empowered to administer); and such Sheriff, Under Sheriff, 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 thier own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner shall think fit; and after the said Jury shall have inquired of and ascertained and settled such Damage, Recompence, and Satisfaction, the said Sheriff, Under Sheriff, 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 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, 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 are hereby empowered to issue their Warrant or Warrants to the said Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, to summon, impannel, and return, at some convenient Place in the said County of *Middlesex* or City of *Westminster*, as the Case may be, 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 Issue in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, 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, 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 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 Sheriff, Under Sheriff, 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 Sheriff, Under Sheriff, 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 Sheriff, Under Sheriff, 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;

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 Sheriff, Under Sheriff, 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.

Where Part of an Estate is taken, the Remainder to be valued.

XXXI. And be it enacted, That if the Owner, Lessee, or Occupier of any Tenements or Hereditaments authorized to be taken by virtue of this Act shall not be inclined to sell or part with the whole thereof, or of his or her Interest in the whole thereof, and it shall not be found necessary to take the whole for the Purposes of this Act, and the said Parties cannot agree as to the Sum of Money to be paid for the Part which the said Commissioners, or any Person or Persons authorized by them, shall not think it necessary to purchase, then and in such Case the Jury which shall be summoned to value the Premises shall assess the Value of the whole Premises according to the Condition in which they are at the Time of taking the View, and also the Value of that Part of the Premises which will remain after the said Commissioners, or the Person or Persons authorized by them, have taken away so much as they shall think necessary for the Purposes of this Act; and in such last Valuation the said Jury shall take into their Consideration the Improvement or Depreciation which the Remainder of the Premises is likely to receive or sustain from the Alteration intended to be made; and the Jury having made these Two Valuations, the Difference between them shall be the Price to be paid by the said Commissioners for that Part which they shall have Occasion for, and such Price shall be recorded as the Verdict of the Jury for the Value of the same.

Notice to be given of Compensation claimed.

XXXII. And be it 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 Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, by way of Compensation for Goodwill or Improvements alleged to have been lost, or Tenants Fixtures, or any Injury or Damage alleged 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 such a Statement as herein-before is mentioned of the Particulars of every such Claim, and how and in what Manner the Amount thereof is made out and computed, shall have been given to the said Commissioners, or left at their Office as aforesaid, by and on behalf of such Person or Persons, Ten Days at least before the Time of the Meeting of such Jury.

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

XXXIII. And be it enacted, That if the Sheriff, Under Sheriff, 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 to the Party who shall be prejudiced or injured thereby, to be recovered, with full Costs of Suit,

Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster;* 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 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 One of Her Majesty's Justices of the Peace for the County of *Middlesex* or City of *Westminster*, as the Case may be, by Distress and Sale of the Goods and Chattels of the Person so offending, the Person making such Distress and Sale rendering to him or her the Overplus of the Money thereby produced, if any, after such Penalty, and the Charges of such Distress and Sale, shall be deducted; and all such Fines shall be paid to the said Commissioners, to be applied for the Purposes of this Act.

Jury may assess Value of Fee Simple and then apportion the Values of respective Interests therein.

XXXIV. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Tenements or Hereditaments, or Share or Shares therein, the Jury shall, if required so to do by or on behalf of the said Commissioners, inquire of, assess, and ascertain the Value of the Fee Simple of the Entirety of the said Premises, and shall afterwards apportion and divide the Value so ascertained between and among all the different Shares and Charges which shall be claimed, and also between different Parts of the said Tenements or Hereditaments alleged to be held under different Titles: Provided always, that the Verdict of any Jury shall not defeat or prejudice any Contract or Sale which shall have been previously made of any Share or Charge, although the Value of the same may be ascertained to be different from the Amount of the Price, Recompence, or Satisfaction agreed to be paid for the same.

Verdict of Value of Lands and Damages to be ascertained separately.

XXXV. And be it enacted, That the Jury and Juries so to be summoned as aforesaid shall award all Determinations, Judgments, and Verdicts which they shall make and give in execution of the Powers hereby vested in them concerning the Value of the Tenements or Hereditaments, or of any Share or Shares, Estate or Estates, Interest or Interests therein, or any Charge or Charges thereon, separately and distinctly from the Consideration of any Loss of Goodwill to which the Occupier may personally be entitled, or any other Loss or Damage to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Hereditaments, or Share or Shares, Estate or Estates, Interest or Interests therein, Charge or Charges thereon, and the Money assessed or adjudged for such

such Goodwill, Loss, or Damage as aforesaid, separately and apart from each other; and when any Money shall be assessed or adjudged for such Goodwill, Loss, or Damage as aforesaid, the Jury shall, if required by the said Commissioners, award and declare whether the Statement delivered by the Claimant or Claimants, of the Manner in which any Amount of the Money which shall have been demanded as a Compensation for the same has been computed and made up, gave sufficient Particulars to enable the said Commissioners to make a proper Offer.

Providing for Expences of Jury.

XXXVI. And be it 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 Rights, Interests, or Property of the Person or Persons in any such Houses, Buildings, Grounds, 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 in the aggregate by the said Commissioners 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 Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners; but in every Case in which any Jury so summoned and sworn as aforesaid shall be of opinion that the Statement delivered by the Claimant or Claimants, of the Manner in which any Amount of Money which shall have been demanded as a Compensation has been computed and made up, did not give sufficient Particulars to enable the said Commissioners to make a proper Offer, and in every other Case in which any such Jury 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 in the aggregate 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 or procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners 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 the said Commissioners) all such Costs, Charges, and Expences, to be settled by such Sheriff, Under Sheriff, High Bailiff, Deputy, or Coroner, in manner aforesaid, shall

shall be paid to the said Commissioners by the said Body or Bodies 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 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 virtue of any Warrant under the Hand and Seal of One of Her Majesty's Justices of the Peace for the County of *Middlesex* or City of *Westminster*, as the Case may be, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to the Payment of the same, the Party making such Distress and Sale rendering to such Person or Persons as aforesaid the Overplus of the Money thereby produced (if any), after such Costs, Charges, and Expences, and the Charges of such Distress and Sale, shall be deducted.

Verdicts to be recorded.

XXXVII. And be it enacted, That a Minute or Docquet of all the said Judgments and Verdicts shall be recorded in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and all such Judgments and Verdicts shall be afterwards deposited with the Clerk of the Peace of the said County of *Middlesex* or the said City and Liberty of *Westminster*, as the Case may be, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County and 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 empowered to purchase the whole of the Premises if the Owners are unwilling to sell a Part.

XXXVIII. And be it 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 to be applied for the Purposes aforesaid, 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, and they

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 over and above such Part thereof as may be wanted for the Purposes of this Act as such Owner or Owners shall think fit, and to apply so much and such Part thereof as they the said Commissioners, with such Consent and Approbation as aforesaid, shall see fit, for the Purposes aforesaid; and that if such Owner or Owners shall not or cannot agree with the said Commissioners for the Price to be paid for the Purchase of the whole or such Part thereof as aforesaid 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 Premises 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 the Manner aforesaid.

Persons holding under Leases to produce the same.

XXXIX. And be it enacted, That in all Cases in which any Person or Persons shall claim any Satisfaction or Compensation for or in respect of any unexpired Term or Interest which he, she, or they shall claim to be possessed or entitled unto in any Tenements or Hereditaments intended to be taken or used under the Authority of this Act, under or by virtue of any Demise or Lease, or Agreement for Demise or Lease, or Grant thereof, the said Commissioners are hereby authorized to require such Person or Persons to produce or show the Demise or Lease, or Agreement for Demise or Lease, or Grant, in respect of which such Claim to Satisfaction or Compensation shall be made, or the best Evidence thereof in his, her, or their Power; and if such Demise or Lease, or Agreement for Demise or Lease, or Grant, or such best Evidence thereof as aforesaid, shall not be produced or shown within Twenty-one Days after Demand made by the said Commissioners, or any Person by them authorized, the Person or Persons claiming such Satisfaction or Compensation shall be considered and treated as holding only from Year to Year.

For settling Disputes as to Damages to a small Amount.

XL. And be it enacted, That in case any Difference shall arise between the said Commissioners, and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act, as to the Amount or Value of the Damages done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed the Sum of Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace for the City of *Westminster*, if the Property is situate in that City, and for the County of *Middlesex*, if the Property is out of the City, who, upon Application made to them by both or either of the said Parties, shall examine into

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the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners; and such Magistrates may examine Witnesses and administer Oaths in all respects, and with the same Consequences as to false swearing, as if the same were a judicial Matter brought before them on which they were by Law entitled to adjudicate.

Commissioners not to take possession until the Purchase Money is tendered or paid.

XLI. Provided always, and be it 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.

Commissioners empowered to take possession on Payment of Purchase Money into the Bank of England.

XLII. And be it 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 ascertained, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, 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 the said Commissioners and their 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, and with the Assent of any Protector of the Settlement whose Assent might be necessary, or Feoffment with Livery of Seisin, 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, and 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 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 thereupon be pulled down, made use of, and employed for the Purposes aforesaid, according to the Direction of the said Commissioners, and under the Regulations in this Act mentioned and contained.

Application of Purchase Money when amounting to 200*l.*

XLIII. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Houses, Buildings, Grounds, 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, 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 pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late 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 applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon 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, Ground, 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 be paid, affecting the same Houses, Buildings, Ground, 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, Ground, 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

1 G. 4. c. 35.

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 and 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 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 Houses, Buildings, Ground, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

When less than 200*l.* and amounting to 20*l.*

XLIV. Provided also, and be it enacted, That if any Houses, Buildings, Grounds, 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 herein-before 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, 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 herein-before 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.

 XLV. Pro-

When less than 20*l.*

XLV. Provided always, and be it enacted, That where such Money so agreed or 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 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 Titles.

XLVI. And be it enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be agreed to be paid, or 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 by virtue of this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, 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 agreed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Ground, 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 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, Control, 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 to 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.

Where any Question shall arise, the Person in Possession shall be deemed entitled until the contrary be shown.

XLVII. Provided always, and be it 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, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, 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 of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in Possession of such Houses, Buildings, Ground, 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, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Ground, Tenements, and Hereditaments, Parts, Shares, Estates, Interests, or Charges, according to such Possession, until the contrary shall be shown 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, Ground, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein, or Charge thereon.

Court of Exchequer may order Expences of Purchases to be paid by the Commissioners.

XLVIII. Provided also, and be it 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, Ground, 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, who shall from Time to Time pay such Sums of Money

out of the Monies applicable to the Purposes of this Act as the said Court shall direct.

When the Title is defective by reason of a Rent payable out of other Estates, as well as Hereditaments required for the Purposes of this Act, the Money paid into the Bank to be laid out in the Purchase of other Estates, which shall be subject to the Rent in the same Manner.

XLIX. And be it enacted, That where the Money awarded to be paid for any Tenements or Hereditaments which shall be taken for the Purposes of this Act shall be paid into the Bank of *England* in manner herein-before directed, in consequence of a good Title not having been made to such Tenements or Hereditaments to the Satisfaction of the said Commissioners, or any Person or Persons authorized by them, by reason of the same Tenements or Hereditaments respectively being subject, together with other Hereditaments not required for the Purposes of this Act, to a Rent payable to some Body or Bodies Politic, Corporate, or Collegiate, Person or Persons, unable or unwilling to release therefrom the Tenements or Hereditaments so to be taken, then and in every or any such Case the Tenements or Hereditaments for the Value of which the Money to be paid into the Bank, together with the Money (if any) to be retained for Costs and Charges under the Authority of this Act, shall be assessed and be awarded to be paid, shall be and are hereby released and for ever discharged from such Rent, and all Claims and Demands in respect thereof; and the Money to be paid into the Bank of *England* shall be laid out and invested, under the Direction and with the Approbation of the Court of Exchequer, to be signified by an Order made upon a 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 Tenements and Hereditaments for the Value of which such Monies respectively shall have been paid as aforesaid, in the Purchase of other Tenements or Hereditaments, which shall be conveyed and settled (subject, together with such other Tenements or Hereditaments, to such Rent,) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Tenements or Hereditaments so to be taken as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and 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 Accountant General of the said Court 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 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 said Tenements or Hereditaments hereby directed to be purchased in case such Purchase and Settlement were made; and the Tenements or Hereditaments so to be purchased and settled shall be subject to the Rent to which

which the same shall be declared as aforesaid in the Conveyance and Settlement thereof to be subject, in the same Manner, to all Intents and Purposes, as the Tenements or Hereditaments taken or to be taken for the Purposes of this Act as aforesaid were subject thereto; and the Body or Bodies, Person or Persons, to whom such Rent shall be payable, shall have such and the same Powers and Remedies for enforcing the Payment thereof or of any Part thereof, out of or upon the Tenements or Hereditaments to be comprised in such Conveyance and Settlement, and declared to be subject thereto, as they, he, or she would have been entitled to if such Rent had originally been reserved out of or charged upon the same, instead of the Tenements or Hereditaments to be taken for the Purposes of this Act, and in the same Manner to all Intents and Purposes as such Rent was reserved out of or charged upon such last-mentioned Tenements or Hereditaments, together with the other Tenements or Hereditaments subject thereto; and in the meantime, and until such Purchase shall be made, it shall be lawful for the said Court of Exchequer, if the said Court shall think proper, upon Application thereto, to order any Part of the Dividends and annual Produce of the Bank Annuities in which the said last-mentioned Money shall be invested to be paid from Time to Time to the Body or Bodies, Person or Persons, for the Time being entitled to the said Rent, in discharge thereof or Part thereof, as the Case may be.

Power to purchase the Release of Hereditaments wanted from Rents charged thereon, or to apportion the same.

L. And be it enacted, That where any Tenements or Hereditaments purchased, or wanted or intended to be purchased, by the said Commissioners, shall be subject, solely, or jointly with other Tenements or Hereditaments not intended or wanted to be purchased, to or with any Rent-service, Rent-charge, or Chief Rent, or other Rent, Payment, or Incumbrance, it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to agree for the Release of the Tenements or Hereditaments so purchased, or wanted or intended to be purchased, from such Rent, Payment, or Incumbrance, and also (where necessary or convenient) for an Apportionment of such Rent, Payment, or Incumbrance for such gross Sum as shall be agreed upon between the said Commissioners and the Party who, under the Provisions of this Act, shall agree to sell or apportion the same, and which Agreement may be entered into by all Persons and Corporations by this Act authorized and empowered to sell or convey Lands; and the Monies to be paid shall be paid and applied in manner herein-before directed with regard to the Purchase Monies on the Sale of Lands; and in case any Difference shall arise respecting the Value of such Rent, Payment, or Incumbrance, or respecting the Apportionment thereof, the same shall be determined by a Jury, if required, in like Manner as the Price of Lands is by this Act directed to be settled in case of Dispute as to the Value thereof, which Jury shall assess and determine the Value of the Rent, Payment, or Incumbrance affecting the Tenements or Hereditaments purchased,

chased, or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Tenements or Hereditaments jointly subject to Rent, Payment, or Incumbrance, as hereinbefore mentioned, according to the respective Values of the Tenements or Hereditaments purchased, or wanted or intended to be purchased, and of the Tenements or Hereditaments not purchased or wanted or intended to be purchased, by the said Commissioners; and all Contracts, Conveyances, and Assurances which shall be made by and between or to the said Commissioners and any such Party as aforesaid, respecting such Release, shall be valid and effectual in the Law, and shall extinguish the whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that where the Party entitled to such Rent, Payment, or Incumbrance shall consider the remaining Part of the Tenements or Hereditaments so jointly subject, and the same shall in fact be, a sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Tenements or Hereditaments so purchased by the said Commissioners therefrom, then and in such Case it shall be lawful for the Party entitled by this Act or capacitated to apportion such Rent, Payment, or Incumbrance, or to release the Tenements or Hereditaments so purchased therefrom, (with the Consent of the Owner of the Lands so purchased, and also of the Owner of the Tenements or Hereditaments so jointly subject as aforesaid,) to release the Tenements or Hereditaments so purchased as aforesaid from the Rent, Payment, or Incumbrance so affecting the same as aforesaid jointly with other Tenements or Hereditaments, on condition or in consideration of such other Tenements or Hereditaments continuing or remaining wholly and exclusively subject to the whole of such Rent, Payment, or Incumbrance: Provided also, that when any of the Tenements or Hereditaments purchased by the said Commissioners shall be released from a Part only of any Rent, Payment, or Incumbrance affecting the same jointly with other Tenements or Hereditaments, by the said Commissioners, such last-mentioned Tenements or Hereditaments shall be charged only with the Remainder of such Rent, Payment, or Incumbrance; and such Apportionment shall not prejudice the Title to the remaining Rent, or Remedies for such Remainder, but the same shall at all Times thereafter remain as effectual as if the Lands not so purchased had been originally charged with that Amount only: Provided also, that when a Part of any Rent, Payment, or Incumbrance shall be released, it shall be lawful for the said Commissioners, on Tender for that Purpose by any Deed or Instrument creating or transferring the Remainder of such Rent, Payment, or Incumbrance, to endorse a Memorandum on such Deed or Instrument, declaring what Part of the Tenements or Hereditaments only subject to such Rent, Payment, or Incumbrance shall have been purchased by virtue of this Act, and what Proportion of the said Rent, Payment, or Incumbrance shall have been released,

leased, and also declaring the Amount of the Rent, Payment, or Incumbrance which shall continue payable; and such Memorandum shall be Evidence in all Courts of the Facts therein stated, but shall not exclude any other Evidence of the same Facts.

Rents on Leases to be apportioned.

LI. And be it enacted, That in all Cases in which a Part only of any Tenements or Hereditaments comprised in any Lease or Agreement for Lease for a Term of Years unexpired, or for a Life or Lives, or for a Term determinable on a Life or Lives, shall be required for the Purposes of this Act, the Rent payable in respect of any Tenements or Hereditaments comprised in such Lease or Agreement for Lease shall be apportioned between the Tenements or Hereditaments required for the Purposes of this Act and the Residue of such Tenements and Hereditaments; and such Apportionment shall, in case the same shall not be settled by Agreement between the Parties, be ascertained and settled by the Verdict of a Jury, if required, in like Manner as the Price of any Tenements or Hereditaments to be taken in pursuance of this Act is directed to be settled in case of Dispute as to the Value thereof; and in case such Apportionment shall be settled by Agreement between the Parties, such Agreement shall be made with, and shall not be valid without, the Consent and Approbation of the Lessor from whom such Tenements or Hereditaments are holden or agreed to be holden, and any Person hereby capacitated to sell who shall be a Lessor shall be capacitated to assent, and to bind the Property in respect of such Assent; and after such Apportionment the Tenant or Lessee of the Tenements or Hereditaments comprised in such Lease or Agreement for Lease shall, as to all future accruing Rent, be liable only to so much of the Rent reserved in such Lease or Agreement for Lease as shall have been apportioned in respect of the Tenements or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Tenements or Hereditaments shall have all such and the same Remedies for the Rent so apportioned, in respect of the Tenements or Hereditaments not required for the Purposes of this Act, as before such Apportionment he had or was entitled to in respect of the Rent reserved or agreed to be reserved in such Lease or Agreement for Lease; and such Apportionment shall not prejudice or affect any of the Covenants, Conditions, or Agreements in such Lease or Agreement for Lease contained, so far as the same relate to the Tenements or Hereditaments comprised in such Lease or Agreement for Lease, and not required for the Purposes of this Act, but the same shall as to such last-mentioned Tenements or Hereditaments, but not further or otherwise, continue in full Force and Operation.

Mortgagees to convey to the Commissioners.

LII. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons, having any Mortgage on any Tenements or Hereditaments which shall be required to be taken for the Purposes of this Act, (and whether entitled thereto in their own Right, or in Trust for any other Body or Bodies, Person or Persons, and whether

whether in Possession of such Tenements or Hereditaments by virtue of such Mortgage or not, and whether such Mortgage shall affect such Tenements or Hereditaments solely, or jointly with any other Tenements or Hereditaments which shall be so required,) shall, on Payment or Tender by the said Commissioners, or by any Person by them authorized, of the Principal Money and Interest due on such Mortgage, and the just Costs (if any) then due, together with the Amount of Six Calendar Months Interest on the said Principal Money, (which Tender and Payment the said Commissioners are hereby authorized to make, and to deduct the same from any Sum agreed or directed to be paid for the Estate or Interest of the Party or Parties entitled to the Equity of Redemption,) of and in the Tenements or Hereditaments so mortgaged, in case the same shall be sufficient for the Purpose, immediately convey, assign, and transfer the respective Interests of such Mortgagees in the Tenements or Hereditaments which shall be so required, to the said Commissioners and their Successors, or to such Person as the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall appoint; or in case such Mortgagees shall have Notice in Writing from the said Commissioners, or from the Party or Parties entitled to the Equity of Redemption of and in the same Tenements or Hereditaments, that they will pay off the Principal Money and Interest which shall be due on such Mortgage at the End of Six or less Number of Calendar Months, to be computed from the Day of giving such Notice, then, at the End of Six or less Number of Calendar Months, on Payment or Tender by the said Commissioners of the Principal Money and Interest which would become due at the End of Six Calendar Months from the Time of giving such Notice, together with any just Costs then due, such Mortgagees shall convey, assign, and transfer their respective Interests in the Tenements or Hereditaments which shall be so required for the Purposes of this Act to the said Commissioners and their Successors, or as the said Commissioners shall direct; and in case any such Mortgagees shall refuse to convey, assign, or transfer as aforesaid, on such Payment or Tender respectively as aforesaid, then, on Payment of such Money, Interest, and Costs into the Court of Exchequer, as herein-after mentioned, all Interest on every such Mortgage Debt, and all Claim and Right of every such Mortgagee thereto, shall thenceforth cease and determine: Provided always, that in case any such Mortgagee shall in either of the Cases aforesaid neglect or refuse to convey, assign, or transfer as aforesaid, then, upon Payment of the Principal Money and Interest, and the Costs (if any), due on any such Mortgage as aforesaid, into the Bank of *England*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, or as soon after as possible, or in lieu of such Notice, and in addition to the said other Monies, of Six Calendar Months Interest in advance, for the Use of such Mortgagee, at any Time after Tender of the Principal, Interest, and Costs, and Six Calendar

dar Months Interest in advance, as aforesaid, the Cashier of the said Bank shall give a Receipt for the said Money in like Manner as is by this Act directed in Cases of other Payments into the said Bank; and thereupon, or upon such Conveyance, Assignment, or Transfer by any such Mortgagee as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee, and of all Persons in Trust for him, or for whom he shall be Trustee, shall vest in the said Commissioners and their Successors, who shall be deemed to be in the actual Possession of the Premises and Estate comprised in such Mortgage, or so much thereof as shall be required for the Purposes of this Act, to all Intents and Purposes whatsoever.

As to Cases where Mortgage Money is more than the Value of the Premises, or a Part only of the Premises is taken.

LIII. And be it enacted, That in all Cases in which any Tenements or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Tenements or Hereditaments shall be of less Value than the Principal Monies, Interests, and Costs secured thereon, or in which a Part only of the Tenements or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, and such Part shall be of less Value than the Principal Monies, Interest, and Costs secured on such Tenements or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Tenements or Hereditaments to be a sufficient Security for the Money charged thereon, or shall not be willing to release the Part required for the Purposes of this Act from the Principal or Mortgage Money, and all Interest due and to become due thereon, and all Costs, the Value of such Tenements or Hereditaments, or, as the Case may be, of such Part of the said Tenements or Hereditaments as shall be so required for the Purposes aforesaid, and also the Compensation (if any) for any Damage done in respect of the Parts so required, shall be settled and agreed upon by and between such Mortgagee or Mortgagees, and the Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Person or Persons entitled to the Equity of Redemption of such Tenements or Hereditaments, whether absolutely or for such Estate as might capacitate him, her, or them to convey for the Purposes of this Act, on the one Part, and the said Commissioners on the other Part; and in case of any Difference between them then such Value and Compensation shall be determined by the Verdict of a Jury in the same Manner as in other Cases of Difference; and the Amount of such Value and Compensation, being so agreed upon or determined as aforesaid, shall be paid to such Mortgagee or Mortgagees in satisfaction of his, her, or their Claim, so far as the same will extend; and such Mortgagee or Mortgagees shall thereupon convey, assign, and transfer all his, her, or their Interest in such mortgaged Tenements or Hereditaments the Value whereof shall so have been agreed upon or determined as aforesaid, or in case of his, her, or their neglecting or refusing to convey, assign, or transfer as herein-before directed, then the Amount of such Value and Compensation

Compensation shall be paid into the Bank of *England* to the Credit of the said Mortgagee or Mortgagees, as by this Act is provided in Cases of the like Nature; and such Payment to the Mortgagee or Mortgagees, or into the Bank as last aforesaid, shall be accepted in satisfaction of the Claim of such Mortgagee or Mortgagees, so far as the same will extend, and also in full Discharge and Exoneration of such Part of the mortgaged Premises as shall be so taken or used from all Principal and Interest and other Money due or secured thereon; and thereupon such mortgaged Tenements or Hereditaments shall become absolutely vested in the said Commissioners and their Successors, who shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever: Provided nevertheless, that all Mortgagees shall have the same Powers and Remedies for recovering or compelling Payment of their Mortgage Money, or the Residue thereof (as the Case may be), or the Interest thereof respectively, upon and out of the Residue of the mortgaged Tenements or Hereditaments not required for the Purposes aforesaid, as they would have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Tenements or Hereditaments originally comprised in such Mortgage: Provided also, that when a Part only of the Tenements or Hereditaments (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Tenements or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the said Commissioners and their Successors, have been paid to the Mortgagee or Mortgagees thereof, in part Satisfaction of his, her, or their Mortgage Debt, a Memorandum of what shall have been so paid shall be endorsed on the Deed creating such Mortgage at the Time of executing such Assignment or Conveyance to the said Commissioners, and shall be signed by such Mortgagee or Mortgagees; and a Copy of such Memorandum shall at the same Time (if required) be furnished by the said Commissioners to the Person or Persons so entitled as aforesaid to the Equity of Redemption of the Tenements or Hereditaments comprised in such Mortgage Deed.

Tenants at Will, or from Year to Year to quit after Notice.

LIV. And be it enacted, That every Tenant at Will, or Lessee for a Year, or any other Person or Persons in Possession of any such Houses, Buildings, Ground, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in the said Commissioners for the Purposes aforesaid, 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, 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

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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 any 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 Ground or Hereditaments are herein-before directed to be ascertained; or if the said Commissioners and the other Parties in difference shall agree, the same may be settled by a Reference to the Award of Arbitrators, to be chosen by the Parties in difference; and that all and every Person or Persons, Bodies Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, in Possession of any Houses, Buildings, Ground, Tenements, or Hereditaments, or any Part of any Houses, Buildings, Ground, 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 aforesaid, shall, upon Tender or Payment 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 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 County of *Middlesex*, or the City and Liberty of *Westminster*, as the Case may be, to issue his Precept or Warrant to the Constables of the said County and City 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, 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.

LV. And

Persons authorized to sell may refer to Arbitrators to fix the Price.

LV. And be it enacted, That all Persons hereby capacitated to sell, and who may not agree with the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, as to the Price to be paid, may, if they shall think fit, agree with the said Commissioners to refer it to any Person or Persons to ascertain the Amount to be paid; and every such Agreement shall be in all respects binding and effectual.

Power to clear the Ground, and sell old Materials.

LVI. And be it enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to pull down or cause to be pulled down all Houses and other Erections and Buildings which shall be purchased by virtue of this Act, or such of them or such Part thereof as they shall think proper to be pulled down, and to level and clear the Ground whereon the same shall stand, and all other the Ground to be purchased by virtue of this Act, in such Manner as they shall think proper, and to sell or cause to be sold the Materials of the Houses and other Buildings to be taken down and removed pursuant to this Act; and the Monies to be produced by the Sale thereof, after deducting the Expences of pulling down such Houses and Buildings respectively, and of such Sale or Sales, and also the Rents and Profits of such Tenements and Hereditaments to be purchased or taken by virtue of this Act, until the same shall be pulled down or cleared, shall be applied and disposed of for or towards the Purposes of this Act or any of them.

Commissioners may grant Building Leases of Ground not wanted which they may think proper to be let.

LVII. And be it enacted, That as regards all or any Ground or Hereditaments which shall be purchased, and which shall not be wanted for the Purposes of being made into Thoroughfares, it shall be lawful for the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and they are hereby authorized, when and as they shall think fit, by an Indenture or Indentures under their Common Seal, to demise and lease such Ground and Hereditaments, or such Part thereof as they shall think it expedient to let, on Building Leases, either altogether or in Parcels, to any Person or Persons who shall erect and build, or covenant and agree to erect and build thereon, or on any Part or Parts thereof, Houses, Erections, and Buildings, of such Rate or Class or respective Rates or Classes of Buildings, upon such Plan and Elevation or respective Plans and Elevations, of such Height or respective Heights, and with such Stories, as the said Commissioners shall think proper, for any Number of Years as they shall think fit, and under such Conditions, and either at a Rent or without any Rent, but so that in every such Demise or Lease there be contained a Covenant for the Payment of the Rent, if any shall be thereby reserved, and also such other Covenants on the Part of the Tenant or Lessee therein to be named, as the said Commissioners shall reasonably advise or require, and also a Clause in the Nature of a Condition of Re-entry on Nonpayment of the Rent, if any thereby be reserved, or on Nonperformance of the Covenants therein to be contained, on the Part of the Tenant or Lessee to be observed and performed; and the Lessee or Lessees named

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in each such Lease shall execute a Counterpart thereof; and further, that in any such Lease the said Commissioners may, if they think fit, accept and take any Fine for the granting thereof, and may enter into any Agreement for the granting any Lease or Leases, on such Terms and Conditions as they may think fit, and on the granting the Leases in pursuance of such Agreements may alter the Amount of the Rents agreed to be reserved in such Leases, and may apportion the same, and grant separate Leases of any Part of the Hereditaments by any such Agreement agreed to be leased, as they think fit, and may also, as they think fit, alter or rescind any Agreement as aforesaid, and may accept any Surrender of any Lease granted, for the Purpose of granting separate Leases of the same Premises at apportioned Rents or under different Covenants, or otherwise in all respects as the said Commissioners shall think fit, and that any Part of the said Ground may be appropriated for Squares, Gardens, or open Places, and any Part thereof may be left for Yards or Courts to be attached to any Houses agreed to be leased, as the said Commissioners shall think fit.

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

LVIII. And be it enacted, That as soon as conveniently may be, and either before or after the Houses, Erections, and Buildings to be erected and built as herein-before is mentioned, or any of them, shall be finished and completed, and either before or after such Leases shall have been granted, the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall and they are hereby authorized and required to sell and dispose of, or cause to be sold and disposed of, the Ground Rents to be reserved by the Lease or Demise, or Leases or Demises, so agreed to be reserved by any such Agreement as aforesaid, in pursuance or in consideration of which the same Houses respectively shall have been erected and built, or shall be agreed to be erected and built, and also the Reversion and Inheritance in Fee Simple in Possession (subject to such Lease or Demise, or Leases or Demises, Agreement or Agreements, of the Pieces or Parcels of Ground therein demised or agreed to be demised), and such Houses and other Buildings therein, either altogether or in Parcels, by public Auction or private Contract, for such Price or Prices or Sum or Sums of Money as the said Commissioners shall think reasonable, and subject to such Stipulations and Provisions as to the Enjoyment thereof, and as to the Nature of the Buildings which are to be at all Times erected and built, and also subject to such Stipulations as to the Title to be produced to the Hereditaments to be sold, as the said Commissioners shall think fit; and as regards any Stipulations or Provisions which may be contained in any such Conveyance, the same may at all Times thereafter be enforced in a Court of Equity by the said Commissioners for the Time being, for the Benefit of the Parties entitled to the other Property adjoining or held under the same Title, in such Manner in all respects as the said Commissioners may think fit; and the said Commissioners shall and they are hereby empowered and required, at the Request, Costs, and Charges

Commissioners of Woods to sell the Ground Rents and Reversions to be comprised in such Leases.

Charges of the Purchaser or Purchasers of the same Premises respectively, upon Payment of the Sum or Sums of Money agreed to be given for the same respectively to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by any Writing under their Common Seal, to convey and assure the Piece or Parcel of Ground, or Pieces or Parcels of Ground, so purchased by such Purchaser or Purchasers respectively, together with the Houses, Erections, and Buildings then erected and built, or to be erected and built thereon respectively, and the Fee Simple and Inheritance thereof, with the Appurtenances, to such Purchaser or Purchasers respectively, his, her, or their Heirs and Assigns respectively, or as he or they respectively shall in that Behalf order or direct, free from all Incumbrances (except the Building Lease or Building Leases, or Agreement or Agreements to be granted thereof by virtue of this Act); and that all Conveyances and Leases which shall be made as aforesaid pursuant to the Authority hereby in them reposed shall be adjudged sufficient to vest such Estate in the Purchaser or Lessee as shall have been agreed for, or shall be expressed or meant and intended to be conveyed and granted by any such Conveyance or Lease; and every such Lease, Agreement, and Conveyance, to be made under the Authority of this Act, may be in the Form or to the Effect as the said Commissioners shall order or direct; and it shall not be necessary that any such Conveyance as aforesaid should be made by Bargain and Sale enrolled, Feoffment, or Lease and Release.

Commissioners of Woods empowered to sell any Ground which may not be wanted.

LIX. And be it enacted, That it shall be lawful for the said Commissioners to sell and dispose of, in manner and subject as aforesaid, and absolutely to grant and convey, such Part or Parts of any of the Hereditaments which may be acquired under the Powers of this Act, and which they shall not think proper to let on Building Leases as aforesaid, subject nevertheless to such Stipulations and Conditions as they may think fit, and thereupon the same shall be conveyed and assured by the said Commissioners as they shall think fit.

Purchase Monies and Rents to be applied to any of the Purposes of the Act.

LX. And be it enacted, That all and every Sum and Sums of Money which shall be received by the said Commissioners from any Sales herein-before directed to be made, or as the Premium on the granting any Building Lease, or which may be received on the rescinding any Contract, or which shall be forfeited in respect of the Nonperformance of any Contract, and all other the Monies (if any) and also the Rents (if any) of all the Hereditaments which may be acquired under or by virtue of this Act, until the same shall be sold, shall, after Payment of the Costs and Expences of the said Sale or Sales, which are hereby directed to be paid thereout, be applied in or towards any of the Purposes of this Act.

Monies not required for the Purposes of 3 & 4 Vict. c. 87. to be applied

LXI. And be it enacted, That all and every the Monies from Time to Time applicable to the Purposes of the secondly herein-before recited Act, which shall not be wanted for the effectuating the Purposes of the said last-mentioned Act, shall (after

(after the Completion of such Purposes) be paid over to the Commissioners for the carrying into effect this Act, and shall be by them applied for the Purposes of this Act. for the Purposes of this Act.

LXII. And be it enacted, That the Receipts in Writing of the said Commissioners, or any Two of them, for any Monies payable to them under or by virtue of this Act, or the Powers herein contained, shall be good and sufficient Discharges for the same to any Purchaser, Lessee, or other Persons paying the same. Receipts of Commissioners to be Discharges.

LXIII. And be it enacted, That it shall be lawful for the said Commissioners to raise any Monies which they may think fit, for the Purposes of this Act, by Mortgage of all or any of the Hereditaments to be acquired for the Purposes of this Act, and either before or after the same shall have been acquired; and the Monies so to be borrowed, and the Interest thereof, may be paid off at such Times and in such Manner as the said Commissioners shall agree on, by and out of any of the Monies from Time to Time applicable to the Purposes of this Act; but no such Monies shall be so applicable unless the said Commissioners shall specifically direct the same to be so applied; and every such Mortgage shall be made in such Form as the said Commissioners for the Execution of this Act may direct. Commissioners empowered to raise Money on Mortgage of Premises.

LXIV. And be it enacted, That it shall and may be lawful to and for the Commissioners for issuing Exchequer Bills for Public Works, acting in execution of an Act passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, and of several subsequent Acts for amending and extending the same, and they are hereby authorized, to advance and lend to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, any Sum or Sums of Money in Exchequer Bills, on Mortgage of the Hereditaments to be acquired under this Act, and either before or after the same shall have been acquired, and at such Rate of Interest as the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury as aforesaid, or any Three of them, shall approve and direct. Commissioners of Exchequer Bills may advance Money on Mortgage of Houses, &c.

LXV. And be it enacted, That upon the said Commissioners for the issuing of Exchequer Bills making such Advance to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings as aforesaid, the said last-mentioned Commissioners shall thereupon convey or agree to convey to the Secretary for the Time being of the said Commissioners for the Issue of Exchequer Bills, his Heirs and Assigns, or as the said Commissioners shall direct, all or any Part of the said Hereditaments to be acquired under this Act, as a Security for the Repayment of the Amount of the said Exchequer Bills, with Interest thereon, at such Time or Times as the said Lord High Treasurer or Commissioners of Her Majesty's Treasury as aforesaid, or any Three or more of them, shall appoint; and any such Loan may be made before the actual Purchase and Acquisition of any such Hereditaments as aforesaid. Security to be given for the Repayment of Exchequer Bills and Interest.

Purchases, Sales, &c. to be made under the Authority of the Treasury.

LXVI. And be it enacted, That no Purchase, Lease, Agreement for Lease, Sale, or Mortgage, to be made by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall be made, except with the Assent in Writing of the Lord High Treasurer of *Great Britain*, or Three of the Commissioners for executing the Office of Lord High Treasurer; but it shall not be necessary for any Purchaser, Mortgagee, or Lessee to ascertain that such Consent has been given as aforesaid, nor shall the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings be bound to produce to any such Purchaser, Mortgagee, or Lessee any Evidence of such Assent: Provided nevertheless, that such Assent may be given either generally for any particular Class of Cases, or for any particular Purchase, Lease, Agreement for Lease, or Mortgage, as to the said Lord High Treasurer or Commissioners for executing the Office of Lord High Treasurer as aforesaid may seem meet.

Materials, &c. vested in the Commissioners.

LXVII. And be it 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 of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or by their Order or otherwise, belonging to and used by them for carrying the Purposes of this Act into execution, and also any Materials which formed Part of any Buildings which may be pulled down by the Direction of the said Commissioners in pursuance of the Powers of this Act, 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 and Uses, or shall disturb them the said Commissioners, or their Officers or other Persons acting under them, in the Possession thereof.

Commissioners to cause Actions to be brought for Breach of Contracts.

LXVIII. And be it enacted, That in case any Contract entered into in pursuance of this Act with the said Commissioners for any Purchase or Lease, or 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 of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for any of the Purposes of this Act, 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 Her 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 Nonperformance thereof at the 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 think fit, to compound and agree with any such Contractor for any Penalty incurred by him for the Breach or Nonperformance of any such Contract, for such Sum of Money as the said Commissioners shall think proper, not being less than the Injury or Damage sustained by the Breach or Nonperformance of such Contract, and all Costs, Charges, or Expences which shall be occasioned thereby.

Deeds, &c. not liable to Stamp Duty.

LXIX. And be it enacted, That no Contract, Conveyance, Lease, Deed, or other Instrument, which shall be made, granted, or executed under any Powers or Authorities hereby granted, nor any Contracts or Agreements, Bonds or other Securities, Assignments, Conveyances, or other Deed or Instrument, which shall be made, entered into, or executed by any Person or Persons to or with the said Commissioners, or otherwise, for any of the Purposes of this Act, shall be subject or liable to any Stamp Duty whatever imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments be specially subjected and specifically charged in and by such future Act.

Commissioners of Woods, &c. to render Accounts of their Receipts and Expenditure from Time to Time to the Commissioners for auditing public Accounts.

LXX. And be it enacted, That, notwithstanding any of the Provisions contained in the first herein-before recited Act of the Third and Fourth Years of the Reign of Her present Majesty, the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall from Time to Time render and give an Account to the Commissioners for auditing public Accounts of the Amount of all Monies which shall be raised or received by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under or by virtue of the Provisions of the said recited Act of the Second and Third Year of the Reign of Her present Majesty, and the said first herein-before recited Act of the Third and Fourth Year of the Reign of Her present Majesty, and of this Act, or by the Sale or Mortgage, or from the Rents and Profits of any Houses, Buildings, Lands, Tenements, Rents, or Hereditaments hereby authorized to be sold, mortgaged, demised, or let, or by the 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 received by them under or by virtue of the Authority of the said recited Acts and this Act, and of the Application of all such Monies

for the Purposes of the said recited Acts and this Act; and every such Account, when so rendered and given as aforesaid, shall be examined, tried, and audited by the said Commissioners for auditing the Public Accounts, pursuant to the Provisions of an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better examining and auditing the Public Accounts of the Kingdom.*

25 G. 3. c. 52.

Punishing Persons for giving false Evidence.

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

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

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

Limitation of Actions.

LXXIII. Provided always, and be it enacted, That no Action or Suit shall be brought or prosecuted against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any thing done in pursuance of this Act, after Three Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damages then after Three Calendar

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

For protecting the Rights of the Commissioners of Sewers.

LXXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice or diminish, alter or take away, any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster* and Part of the County of *Middlesex*, or in the Commissioners of Sewers for the Limits of *Holborn* and *Finsbury* Divisions, or in the Commissioners of Sewers for the *Tower* Hamlets (excluding *Saint Katherine*'s and *Blackwall Marsh*) in the County of *Middlesex*, except as herein-before is enacted.

Commissioners of Woods empowered to advance Monies for completing the Street to Clerkenwell Green.

LXXV. And be it enacted, That the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall and they are hereby authorized, by and with the Consent of the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time to appropriate and pay, out of the Monies to be borrowed and raised by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under the Powers and Provisions of this Act, to the Commissioners named and appointed in and by the lastly herein-before recited Act, any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-five thousand Pounds, to be by the said last-mentioned Commissioners applied towards the Expence of making, forming, and completing the said Street to *Clerkenwell Green* as aforesaid: Provided always, that upon the said Sum of Twenty-five thousand Pounds being appropriated and paid by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, as last aforesaid, the Commissioners to whom the same shall be so appropriated and paid shall give or provide (if required) such Security or Assurances, to make, form, and completely finish the Street, Thoroughfare, or other Improvement in aid of which such Advance shall be made as aforesaid, as the said Lord High Treasurer, or Commissioners of Her Majesty's Treasury, or any Three or more of them, may think proper: Provided also,

that in case any such Security or Assurance shall be required as aforesaid, it shall be lawful for the said Commissioners named and appointed by the said lastly herein-before recited Act, and they are hereby empowered, to enter into such Security or Assurance, and thereby to charge all and every the Property and Effects vested or to be vested in them or at their Disposal, and also to enter into any Contracts or Agreements with any Person or Persons willing to give any such Security, upon such Terms or Conditions, with respect to the mortgaging, leasing, purchasing, or selling the Whole or any Part of the Land authorized to be taken by virtue of the said lastly herein-before recited Act, as they may think desirable.

Commissioners empowered to advance Monies for completing certain other Improvements in Southwark and Westminster.

LXXVI. And be it enacted, That the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall and they are hereby authorized and empowered, by and with the Consent and Approbation of the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time, and at such Time or Times as they the said last-mentioned Commissioners, in the Exercise of their Discretion, shall think fit and proper, to appropriate and apply, out of the Monies to be borrowed and raised by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under the Powers and Provisions of this Act, in case they the said Commissioners shall be authorized and empowered by any Act or Acts of Parliament to be passed for that Purpose to make, form, and complete the said Line of Street between *Southwark* and *Westminster Bridge*, or in case any other Trustees or Persons shall in and by any such Act or Acts as aforesaid be authorized and empowered to make, form, and complete such Street, then to advance and pay to such Trustees or Persons as last aforesaid any Sum not exceeding the Sum of Thirty thousand Pounds towards the Expence of making, forming, and completing the same Street; and also, with such Consent and Approbation as aforesaid, to appropriate and apply, out of the Monies to be borrowed and raised as aforesaid, in case the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall be authorized and empowered by any Act or Acts of Parliament to be passed for that Purpose to make, form, and complete the said Communication between the Neighbourhood of the Houses of Parliament and that of *Buckingham Palace*, or in case any other Trustees or Persons shall in and by any such Act or Acts as aforesaid be authorized and empowered to make, form, and complete such Communication, then to advance and pay to such Trustees or Persons as last aforesaid any Sum not exceeding the Sum of Thirty-nine thousand Pounds towards the Expences of making, forming, and completing such Communication as last aforesaid: Provided always, that in case the said last-mentioned Sums of Thirty thousand Pounds and Thirty-nine thousand Pounds, or either of them, shall be appropriated

appropriated and paid by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to any Trustees or other Persons who may be respectively authorized and empowered to make, form, and complete such Two last-mentioned Communications as aforesaid, such respective Trustees or other Persons shall give or provide (if required) such Security or Assurances to make, form, and completely finish the Street, Thoroughfare, or other Improvement in aid of which any such Advance shall be made as aforesaid, as the said Lord High Treasurer, or Commissioners of Her Majesty's Treasury, or any Three or more of them, may think proper: Provided also, that in case any such Security or Assurance shall be required as aforesaid, it shall be lawful for the said respective Trustees or other Persons named and appointed by any such Act or Acts as aforesaid, and they are hereby empowered, to enter into such Security or Assurance, and thereby to charge all and every the Property and Effects vested or to be vested in them, or at their Disposal, and also to enter into any Contracts or Agreements with any Person or Persons willing to give any such Security, upon such Terms or Conditions with respect to the mortgaging, leasing, purchasing, or selling the whole or any Part of the Land authorized to be taken by virtue of such Act or Acts, as they may think desirable.

Dean and Chapter of Westminster authorized to sell, and Commissioners of Woods enabled to purchase or take on Lease, certain Ground and Houses at Knightsbridge for making an Opening to Hyde Park.

LXXVII. 'And whereas it is in contemplation by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to recommend to Her Majesty, with a view to public Improvement, and the Accommodation of the Inhabitants of the new Squares, Streets, and Places that have lately been erected and formed in the Neighbourhood of *Knightsbridge* in the County of *Middlesex*, to make a new Thoroughfare and Opening into *Hyde Park*, subject to such Regulations as Her Majesty may approve of: And whereas the Dean and Chapter of the Collegiate Church of *Saint Peter Westminster* are the Owners of certain Ground and Houses on the North Side of the *Knightsbridge* Road, and immediately adjoining that Part of *Hyde Park* where the intended Opening is proposed to be made, and it is essential to the Accomplishment of the projected Improvement that the said Dean and Chapter should have Power to sell, or to lease for any Term not exceeding Ninety-nine Years, to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, certain small Portions of such Ground and Houses, for the Purpose of enabling the said Commissioners to make the said intended Opening, and to erect Houses of a suitable Class and Elevation on each Side thereof;' be it enacted, That it shall be lawful for the said Dean and Chapter of the Collegiate Church of *Saint Peter Westminster*, and they are hereby authorized and empowered, to contract for, sell, and convey to Her Majesty, Her Heirs and Successors, at such Price or Prices as shall be agreed upon or ascertained in manner prescribed by the Act herein-after referred to to be the fair Value thereof, all

or any Part of the Ground and Hereditaments herein-after described; that is to say, all that Piece or Parcel of Ground, with the *Cannon* Brewery, the *Fox and Bull* Public House, and other Buildings, thereon erected and built, situate on the North Side of the *Knightsbridge* Road aforesaid, bounded on the East by the Watercourse leading from and out of the *Serpentine* River to the River *Thames*, and extending Westward from such Watercourse Two hundred and thirty Feet or thereabouts on the North and South Sides thereof, and containing in Breadth One hundred and thirty Feet or thereabouts on the West Side thereof, and One hundred Feet or thereabouts on the East Side thereof; and also all that other Piece or Parcel of Ground, with the several Messuages and Buildings thereon erected and built, known and distinguished by the Nos. 23, 24, and 25, *Knightsbridge*, bounded on the West by the said Watercourse, and extending Eastwards therefrom Seventy-four Feet or thereabouts on the North and South Sides thereof, and containing in Breadth Eighty four Feet or thereabouts on the West Side thereof, and Seventy Feet or thereabouts on the East Side thereof, with the Appurtenances; and that it shall be lawful for the said Dean and Chapter, and they are hereby authorized and empowered, by Indenture under their Common Seal, on the Surrender of any existing Lease or otherwise, to grant any Lease or Leases of the same Premises, or of any Part or Parts thereof, to the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint, on behalf of Her Majesty, Her Heirs and Successors, for any Term or Number of Years not exceeding Ninety-nine Years, at such Rent, and subject to such Covenants, Conditions, and Provisoes, and on such Terms, as shall be agreed upon between the said Dean and Chapter and the said Commissioners, and to enter into such Contracts and Agreements for the Purposes aforesaid as to them shall seem proper; and all Contracts, Agreements, Sales, Leases, Conveyances, and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever.

In case of the Grant of a Lease, Commissioners of Woods to give Security for Payment of reserved Rent, &c.

LXXVIII. And be it enacted, That in case any Lease shall be granted of the said Ground, Houses, and Hereditaments, or any of them, or any Part or Parts thereof, under the Powers herein-before contained, to the said Commissioners, or to any other Person or Persons, on behalf of Her Majesty, Her Heirs and Successors, it shall be lawful for the said Commissioners to give such Security for the due Payment of the Rent to be reserved, and the due Performance of the Covenants to be contained in such Lease, and on the Part of the Lessee or Lessees to be paid and performed, as to the said Commissioners shall seem meet, by way of Charge on the Land Revenues of the Crown under the Management and Control of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings; and every Security so given shall be good, valid, and effectual.

LXXIX. And

Powers of 10 G. 4. c. 50., with reference to Contracts, &c., to extend to Contracts, &c. hereby authorized to be made.

LXXIX. And be it enacted, That all and every the Powers, Provisions, and Agreements contained in an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown within the Survey of the Exchequer in* England, *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney, with reference to Contracts, Sales, and Leases to be made to Her Majesty, Her Heirs and Successors, or to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, shall, so far as the same are applicable, extend to the Contracts, Sales, and Leases hereby authorized to be made.

Public Act.

LXXX. And be it enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

The

The SCHEDULE to which this Act refers.

Coventry Street to Long Acre.

Number of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
8, held with 50 & 51, Leicester Square.	Princes Street	John Augustus Tulk	Thomas Milne	Thomas Milne.
9, and 52	Ditto Leicester Square	Ditto	Charles Sherborn	Charles Sherborn.
10	Princes Street	Sigismund Stolterforth	Robert & R. Gibson	Robert & R. Gibson.
50 & 51, held with 8, Princes Street.	Leicester Square	John Augustus Tulk	Thomas Milne, D. Davies	The Rev. W. Dodsworth, D. Davies.
53	Ditto	Ditto	Thomas Parke, Elam & Sons	Elam & Sons.
17	Ditto	Charles Augustus Tulk	Margaret Saunders, Andre Picnot	Andre Picnot.
1	Cranbourne Street	Marquis of Salisbury	Henry Salter	Henry Salter.
2 & 1	Ditto Bear Street	Ditto	- - - -	Elizabeth Smith.
3 & 2	Cranbourne Street Bear Street	Ditto	James Lindley	James Lindley.
4	Cranbourne Street	Ditto	David Thomas	David Thomas.
5	Ditto	Ditto	James Bruce	James Bruce.
6	Ditto	Ditto	Mary Marshall, David Thomas	David Thomas

7	Ditto - -	Ditto - -	Mary Marshall, Mary Ann Hobbs, Harriet Reynolds.	Mary Ann Hobbs, Harriet Reynolds.
8	Ditto - -	Ditto - -	William Lowley - -	William Lowley.
9	Ditto - -	Ditto - -	- - - -	James Appleby.
10	Ditto - -	Ditto - -	James Staines Fitzpatrick -	James Staines Fitzpatrick.
11	Ditto - -	Ditto - -	William Brodie Gurney -	Jane Richards.
12 & 13	Ditto - -	Ditto - -	James Ellison - -	James Ellison.
14	Ditto - -	Ditto - -	Francis Ellison - -	Morris Joseph.
15	Ditto - -	Ditto - -	Francis Ellison, Dennis & Murrills.	Dennis & Murrills.
72	Castle Street - -	Ditto - -	Alfred Carter - - -	John Simmons.
*71	Ditto - -	Ditto - -	Edward Beavan - -	Edward Beavan.
70	Ditto - -	Ditto - -	Charles Kelk - - -	Charles Kelk.
3	Bear Street - -	Ditto - -	Richard Shuter, Peter Crumb -	Peter Crumb.
4	Ditto - -	Ditto - -	William Iliff Catline, John Clarke Spence, William Nichols.	William and John Lindley.
5	Ditto - -	Ditto - -	Ditto - - - -	Edmund Francis.
1	Cranbourne Alley -	Ditto - -	Robert Barrett - - -	Robert Barrett.
2	Ditto - -	Ditto - -	- - - -	Hannah Masey.
6	Ditto - -	Ditto - -	Charles Bamfield - -	Douglas Gray, Barnabas Reilly.
7	Ditto - -	Ditto - -	Henry Baldwin - - -	William White.
10	Castle Street - -	Ditto - -	William Lewis, John Newman Harrison.	John Newman Harrison.
9	Ditto - -	Ditto - -	William Lewis, William Jackson	William Jackson.
8	Ditto - -	Ditto - -	Thomas Carr & Co., John Bateman.	John Bateman.
7	Ditto - -	Ditto - - -	David Bray, Mary Ann Porter, John St. Thompson (Executors of John Newman), and Edward Tarbox.	Edward Tarbox.
Back Ground.	Ditto - -	Ditto - -	Edward Tarbox - -	Ditto.
6	Ditto - -	Ditto - -	John Newman Harrison, James and Edward Hutchings.	James and Edward Hutchings.

Coventry Street to Long Acre—continued.

Number of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
5	Cattle Street	Marquis of Salisbury	William Ward	William Ward.
1	Little Court, ditto	Ditto	Thomas C. Treslove, John Earratt.	John Earratt.
2	Ditto	Ditto	Thomas C. Treslove, Francis Robinson.	Francis Robinson.
3	Ditto, the Back of Old Slaughter's CoffeeHouse.	Ditto	Thomas C. Treslove, George Bew Tipping.	George Bew Tipping.
14	St. Martin's Court	Ditto	Margaret Coull, Alfred Sharp	Alfred Sharp.
13	Ditto	Ditto	David Griffin, William Brady	William Brady.
12	Ditto	Ditto	Charles Murton	Charles Murton.
79 & 78	St. Martin's Lane	Ditto	Edward Willment	Edward Willment.
77	Ditto	Ditto	Thomas C. Treslove, Benjamin Golding.	Benjamin Golding.
76	Ditto	Ditto	Thomas C. Treslove, Charles Willson.	The Misses Tipping.
75 & 74	Ditto	Ditto	George Bew Tipping	George Bew Tipping.
26	Great Newport Street	Ditto	George Smallbone	George Smallbone.
25	Ditto	Ditto	Charlotte Lavers	Charlotte Lavers.
24	Ditto	Ditto	Benjamin Powell	Benjamin Powell.
23	Ditto	Ditto	Henry Gibbs	Henry Gibbs.
22	Ditto	Ditto	Joseph Mansell	Joseph Mansell.
21	Ditto	Ditto	William Shoveller, Edward Cobbett.	Edward Cobbett.
1	Ditto	Ditto	Thomas How	Thomas How.
2	Ditto	Ditto	Ditto	Thomas Rodd.
2	Upper St. Martin's Lane	Ditto	Robert Gadsden	Robert Gadsden
3	Ditto	Ditto	Robert Gadsden, William Lowe	William Lowe.
4	Ditto	Ditto	Edward Baylis	Samuel Martin.

5	Ditto	Ditto	John Dent	Dent and Langridge.
6. and Gateway, Offices, and Part of Yard behind.	Ditto	Ditto	Matthew Clement Allen	Matthew C. Allen.
7	Ditto	Ditto	Mary Holland	Mary Holland.
8	Ditto	Ditto	Edward Baylis	Empty.
9, and Timber Yard.	Ditto	Ditto	George Shadbolt	George Shadbolt.
		East Smithfield to Rosemary Lane.		
83, held with Yard, Stabling, Soap Manufactory in Dock Street, and Gateway Entrance from Wells Street.	East Smithfield	The Trustees of Sir Samuel Stirling's Charity.	Frederick Cowper and Thomas Russell, Trustees; Thomas William Jarvis.	
	- - - - -	Frederick Cowper and Thomas Russell.	Thomas William Jarvis - -	Thomas William Jarvis.
84, with Counting-house, Workshops, &c. to Dock Street.	Ditto	Frederick Cowper and Thomas Russell.	Charles Allen Young	Charles Allen Young.
85	Ditto	Ditto	- - - -	Simon Aaron.
86	Ditto	Ditto	- - - -	Anton Hermann Iamrach.

East Smithfield to Rosemary Lane —continued.

Number of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
87	East Smithfield - -	Frederick Cowper and Thomas Russell.	- - - -	Nathaniel Nathan.
88	Ditto - - -	John C. Barnes - -	James Inch - - -	James Inch.
89 with Back Premises in Tuerena Court.	Ditto - -	Joseph Tuerena - -	John Goodwin, Michael Nesbit Ireland.	Michael Nesbit Ireland.
90	Ditto - - -	The Executors of John Gabriel Hesse.	Charles Roberts, Peter Dennet Godart.	Peter Dennet Godart.
91	Ditto - - -	Miss Rumball and Alfred Jones.	Edward and James Cox -	John Francks.
92, with Wheelwright's Yard, Shop, &c.	Ditto - - -	Ditto - - -	Ditto - - - -	Edward and James Cox.
93	Ditto - - -	Ditto - - -	Ditto - - -	Alexander Allen.
1, 2, 3, 4, & 5.	Tuerena Court - -	Joseph Tuerena - -	John Goodwin - - -	John Goodwin and his weekly Tenants.
15, Soda Water Manufactory, Counting-house, &c.	Wells Street - -	Frederick Cowper and Thomas Russell.	Harry Foster Mellin - -	Harry Foster Mellin.

Warehouse and Yard, &c.	Ditto	Ditto	-	John Ashwood Hubbard.
Two Warehouses, Yard, &c.	Ditto	Ditto	John Laidley	John Laidley.
Gateway leading to Back Premises.	Dock Street	Thomas Webster	John Way and John House, John Dwelley.	The St. Katherine's Dock Company and George Hitchcock.
22	Ditto	Ditto	John Way and John House	Mary Thompson.
21	Ditto	Ditto	Ditto	George Call.
20	Ditto	Ditto	Ditto	Abraham Rozier.
19	Ditto	Ditto	Ditto	Anne Dierksen.
18	Ditto	Ditto	Ditto	Thomas Ferneux.
17	Ditto	Ditto	Ditto	Augustus William Mouscrop.
16	Ditto	Ditto	Ditto	John Richards.
15	Ditto	Ditto	Ditto	Thomas Hewston.
14	Ditto	Ditto	Ditto	John Troul.
Four Sugar Houses, Warehouses, small Houses, Gateways, &c.	Ditto	Ditto	-	Unoccupied.

East Smithfield to Rosemary Lane—continued.

Number of House.	Situation.	Freeholders.	Leaseholders.	Occupiers.
22	Dock Street	Andrew German	Joseph Parkinson	John Barry.
23	Ditto	Ditto	Ditto	Thomas Macarthy.
69	Rosemary Lane	Thomas Webster	Ditto and Charles Atkin	Charles Atkin.
70	Ditto	Paul Cressall		William Cotman Coventon.
71	Ditto	Ditto		Priscilla Marks.
72	Ditto	Elizabeth Appleby	Abraham Cohen	Abraham Cohen.
73	Ditto	Ditto		James Brooks.
Coal Warehouse, up Court, between 73 & 74	Ditto	Ditto	William John Bassett	William John Bassett.
74	Ditto	Thomas Nuttress Weal		Thomas Nuttress Weal.
1	Dock Street	John C. Barnes		Charles Fernando Lopez.
2	Ditto	Ditto		Eliza Brown.
3	Ditto	Ditto		Elizabeth Bush.
4	Ditto	Ditto		Jane Ross.
5 & 6	Ditto	Ditto		George Jones.
7	Ditto	Ditto		Unoccupied.
8	Ditto	Ditto		John Wheeler.