CAP. XL.

An Act to empower the Commissioners of Her Majesty's Woods to raise Money for certain Improvements in the Metropolis on the Security of the Land Revenues of the Crown within the County of *Middlesex* and City of *London*.

[21st *June* 1841.]

'WHEREAS by an Act passed in the Third and Fourth Years 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 Thoroughfares in the Metropolis*, the said Commissioners were thereby authorized and empowered to make, form, and complete Three new Thoroughfares or Streets in the following Lines or Directions; namely, one of such Streets to commence 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 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, Bloomsbury;* and the other of such Streets 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 nearly in a direct Line with *Leman Street* to the West Front of *Spitalfields* Church: And whereas by another Act passed in the present Session of Parliament, intituled *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*, the said Commissioners were thereby authorized and empowered to make, form, and complete a new Street from the East End of *Coventry Street, Piccadilly*, to the West End of *Long Acre*, and also a new Thoroughfare or Street to commence at the East End of *East Smithfield* near to the Entrance to 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 herein-before recited Act; and the said Commissioners were also 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, to apportion and pay, out 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 the now-reciting Act, in aid of other Improvements in the Metropolis, the following Sums; namely, the Sum of Twenty-five thousand Pounds towards

3 & 4 Vict. c. 67.

4 & 5 Vict. c. 12.

'the Expences attending the forming, making, and completing 'a Street in continuation of the new Street from *Farringdon* 'Street in the City of *London* to *Clerkenwell Green*; the Sum of 'Thirty thousand Pounds towards the Expences of forming, 'making, and completing a Line of Street between *Southwark* 'and *Westminster Bridge*; and the Sum of Thirty-nine thou- 'sand Pounds towards the Expence of forming, making, and 'completing a Communication between the Neighbourhood of 'the Houses of Parliament and that of *Buckingham Palace*; and 'by the said Act it was enacted, that the said Commissioners 'of Her Majesty's Woods, Forests, Land Revenues, Works, 'and Buildings, for the Time being, should be and they were 'thereby constituted a Corporation by the Name and Style of '"The Commissioners of Her Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings," to enable them to carry into 'effect the several Powers and Purposes therein mentioned, 'and by that Name should and might have perpetual Suc- 'cession, and use a Common Seal, as therein mentioned: 'And whereas the estimated ultimate Cost of the several new 'Streets and Thoroughfares so authorized to be made by the 'Commissioners of Her Majesty's Woods, Forests, Land Re- 'venues, Works, and Buildings, after allowing for Returns to 'arise from the Sales and Leases authorized to be made and 'granted by the said Commissioners of Ground and Premises 'to be purchased or acquired under or by virtue of the said 'recited Acts, and from other Sources therein mentioned, 'amounts to the Sum of Four hundred and twenty thousand 'Pounds, and the several Sums of Twenty-five thousand 'Pounds, Thirty thousand Pounds, and Thirty-nine thou- 'sand Pounds, so authorized to be advanced in aid of the 'other Improvements before mentioned, amounting together 'to the Sum of Ninety-four thousand Pounds, make in the 'whole the Sum of Five hundred and fourteen thousand 'Pounds: And whereas by an Act passed in the Second and 'Third Years 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 Metro- 'polis, and by the herein-before recited Acts, the Commissioners 'of Her Majesty's Woods, Forests, Land Revenues, Works, and 'Buildings are empowered, with the Consent and Approbation 'of the Lord High Treasurer, or of the Commissioners for 'executing the Office of Lord High Treasurer, to borrow and 'raise, on the Credit of the several Duties on Coals imported 'into the Port of *London*, and brought by inland Conveyance, 'the Duty on Wine, and other Revenues therein particularly 'specified, (subject to certain Charges then already existing 'thereon,) any Sum or Sums of Money not exceeding in 'the whole the Sum of Five hundred and fourteen thou- 'sand Pounds, for the Purpose of executing the several 'Improvements and making the Advances herein-before 'mentioned, and the Commissioners for the Issue of Exche-

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'quer Bills for public Works are authorized to advance and 'lend the same on the Security of the said Funds herein-'before mentioned or referred to; and by the Two first-'recited Acts the said Commissioners are authorized to sell 'and lease the Property to be acquired for the Purposes of 'the said Improvements, and to apply the Monies to be 'thereby produced towards the Completion of the said Im-'provements: And whereas the said Commissioners for the 'Issue of Exchequer Bills, by reason of various other Claims 'upon them for Advances for public Works sanctioned by 'Parliament, are unable to make immediate Advances to any 'adequate Amount towards supplying the said Sum of Five 'hundred and fourteen thousand Pounds authorized to be bor-'rowed and raised by the Commissioners of Her Majesty's 'Woods, Forests, Land Revenues, Works, and Buildings, upon 'the Credit of the said Duties and Funds herein-before men-'tioned; and by reason of the prior existing Charges on the 'said Funds (which will wholly absorb the same Duties and 'Funds for several Years to come) the Commissioners of Her 'Majesty's Woods, Forests, Land Revenues, Works, and Build-'ings are precluded from raising the said Sum of Five hundred 'and fourteen thousand Pounds in the public Market: And 'whereas the first Outlay to be incurred in the Purchase of 'Property required for making the several new Streets and 'Improvements aforesaid, before any considerable Return can 'be obtained therefrom by Sales or Leases, will necessarily 'exceed the estimated ultimate Cost of the said Improvements: 'And whereas it is essential to the speedy and economical 'Execution of the said contemplated Improvements, that the 'Commissioners of Her Majesty's Woods, Forests, Land Reve-'nues, Works, and Buildings should be put in possession of 'Funds, to meet, as they arise, the Expences of purchasing and 'acquiring the various Properties in the Lines of the proposed 'new Streets, and of making such new Streets; and to provide 'such Funds it is expedient that the said Commissioners should 'be empowered to raise Money on Mortgage of the Possessions 'and Land Revenues of the Crown in the County of *Middlesex* 'and City of *London*, as after mentioned, and that the said Land 'Revenues should be indemnified against any Loss in respect 'of such Charge, as after mentioned:' 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, by and with the Consent and Approbation in Writing of the Lord High Treasurer, or of the Commissioners for executing the Office of Lord High Treasurer of the United Kingdom, or any Three or more of them, notwithstanding

Commissioners of Woods empowered to borrow Money on Mortgage of Land Revenues of the Crown.

standing any Provisions, Restrictions, or Clauses contained in any Act or Acts of Parliament relating to Her Majesty's Land Revenue, from Time to Time to borrow and take up, at any Rate of Interest not exceeding Five Pounds *per Centum per Annum*, and on such Terms and Conditions as they shall think proper, such Sum or Sums of Money as they the said Commissioners, with such Consent and Approbation as aforesaid, shall judge necessary for the Purpose of carrying into effect and completing the said several Improvements and new Streets so authorized and directed to be made by them by the said several herein-before recited Acts as aforesaid, on Mortgage of all or any Part or Parts of the Houses, Buildings, Lands, Tenements, and Hereditaments of or belonging to Her Majesty, Her Heirs and Successors, within the County of *Middlesex* and City of *London*, or either of them (other than Royal Palaces and Parks), and for securing the Repayment of the Sum or Sums so to be borrowed, or any Part or Parts thereof, with Interest for the same, with such Consent and Approbation as aforesaid, to grant, demise, or mortgage all or any Part or Parts of the same Houses, Buildings, Lands, Tenements, and Hereditaments respectively, unto any Person or Persons, Body or Bodies Corporate, who shall lend and advance such Sum or Sums of Money respectively, his, her, or their Heirs, Executors, or Administrators, Successors or Assigns, or to whom he or they or any such Body shall appoint, for any Term of Years, so that every such Grant, Mortgage, or Security be made with a Proviso or Condition to cease and be void when such Sum or Sums of Money thereby to be secured, and the Interest thereof, shall be fully paid and satisfied; and every such Grant, Mortgage, or Security shall be in the Form or to the Effect following, or as near thereto as Circumstances shall require, or the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall think proper; (that is to say,)

Form of Mortgage.

'THE Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings (incorporated for the Purposes of the Act of Parliament herein-after mentioned), being duly authorized by the Lords Commissioners of Her Majesty's Treasury, and acting in pursuance of an Act passed in the Fourth Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of this Act*], in consideration of the Sum of lent and advanced by to the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, upon the Credit and for the Purposes of the said Act, do, by and with the Consent and Approbation of the Commissioners of Her Majesty's Treasury, testified by a Warrant under the Hands of Three of the said Commissioners, signed by them before the Date hereof, and for and on behalf of Her Majesty, grant and demise unto [ ], his [her *or* their] Executors, Administrators, or Assigns, [*or* Successors], or [*to a Trustee or Trustees on the Part of the Person or Body making the Advance*,

'*Advance, as the Case may be*], all [*here insert the Premises intended to be mortgaged*], to hold to the said his [*or* their] Executors, Administrators, or Assigns [*or* his *or* their Successors and Assigns, *as the Case may be*], for a Term of One thousand Years, to be computed from the Day before the Date hereof, for securing the Repayment of the said Sum of Pounds, with Interest for the same after the Rate of *per Centum per Annum*, such Interest to be paid by half-yearly Payments as from the Date hereof without Deduction: Provided (and these Presents are upon this express Condition) that the Demise hereby made and Term hereby granted shall cease and be void when and as soon as the said Sum of and the Interest thereof, as aforesaid, shall be fully paid and satisfied [*here may be introduced any special Clauses respecting the Time and Manner of Payment, or otherwise, as may be agreed upon between the Parties*]. In witness whereof the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings have hereunto set their Corporate Seal, the Day of in the Year of our Lord .'

Mortgages to be enrolled, &c.

And every such Mortgage, and every Assignment thereof, shall be enrolled in the Office of Land Revenue Records and Enrolments, and entered in the Office of Woods, within Three Calendar Months from the Date thereof; and every such Grant, Mortgage, or Security shall be good and valid, notwithstanding any Provisions, Restrictions, or Clauses contained in any such Act or Acts of Parliament as aforesaid, and shall entitle the Person or Persons, Body or Bodies, to or in Trust for whom the same shall be made, his, her, or their Executors, Administrators, Successors, or Assigns, to the Payment of the Sum or Sums of Money, and Interest, secured by any such Grant, Mortgage, or Security, according to the true Intent and Meaning thereof and of this Act; and the said Hereditaments to be included in any such Mortgage or Charge shall, as regards the Security to the Mortgagee or Mortgagees, be freed and discharged from all Charges and Incumbrances whatsoever now affecting or hereafter to affect the Land Revenues of the Crown; and the Costs, Charges, and Expences of every such Grant, Mortgage, or Security, or in anywise relating thereto, shall be from Time to Time defrayed by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, out of the Monies so to be borrowed.

Receipts of Commissioners to be good Discharges for Mortgage Money.

II. And be it enacted, That the Receipts in Writing of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or of any Two of them, to be indorsed on any such Mortgage or Charge, for any Money payable to them the said Commissioners under or by virtue of this Act, shall be sufficient Discharges for the same to the Persons or Bodies respectively paying the same, who shall not afterwards be liable for any Misapplication thereof.

Application of Monies to be raised on Mortgage.

III. And be it enacted, That the Monies so to be raised shall be paid and applied by the said Commissioners for the Purpose of

of effecting the aforesaid Improvements by the said recited Acts or any of them directed or authorized to be made by the said Commissioners, and also in Payment of the Expences of obtaining the said Acts, and of carrying the same into effect, and in such and the same Manner as is in and by the said recited Acts respectively directed with respect to the Monies thereby authorized to be raised.

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

IV. And be it enacted, That for the Purposes of this 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, as in and by the said recited Act of the Third and Fourth Years of Her present Majesty, and of the said recited Act of this present Year of Her said Majesty, is enacted and provided, and may, for the Purposes of this Act, have such Seal as is by the said last-mentioned Acts provided.

Nothing in this Act to prevent Commissioners borrowing Money.

V. And be it enacted, That nothing herein contained shall prevent the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings from charging, raising, or borrowing the Sum and Sums of Money which they are by the said several herein-before recited Acts authorized to charge, raise, or borrow.

For securing Repayment of the Sums borrowed on the Credit of the Land Revenues.

VI. And be it enacted, That all Sum and Sums of Money which may from Time to Time hereafter be received by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, from any Sales directed or authorized to be made by them by the herein-before recited Acts, or as the Premium on the granting of any Lease, or which may be received on the rescinding of 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 the said recited Acts or any of them, until the same shall be sold (except such Monies as may be advanced to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings by the Commissioners for the Issue of Exchequer Bills for public Works, or any other Person or Persons, on the Credit of the Coal and Wine Duties and other Funds authorized to be charged by the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, under the Powers and Provisions of the said recited Acts), or a sufficient Part thereof, shall be applied by the said Commissioners, in the first place, in the Repayment, so far as the same will extend, of any Sum or Sums of Money which may be borrowed on the Credit of the Land Revenues of the Crown, and the Interest thereof, under the Powers and Provisions herein-before contained; and all Monies which may be advanced to the said Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, by the said Commissioners for the Issue of Exchequer Bills, or any other Person or Persons, on the Credit of the Coal and Wine Duties, and other Funds herein-before mentioned, under the Powers and Provisions of the

the said recited Acts, shall (subject to the before-mentioned Advances in aid of the Costs and Expences attending the making, forming, and completing the said Street to *Clerkenwell Green*, the Street between *Southwark* and *Westminster Bridge*, and the Communication between the Houses of Parliament and *Buckingham Palace*, in case the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall, in the Exercise of their Discretion, think fit and proper to consent to such Advances being made by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings,) be also applied by the said Commissioners, in the first place, in the Repayment of such Sum or Sums of Money as may be borrowed on the Credit of the Land Revenues of the Crown, and the Interest thereof as aforesaid, or of so much thereof as shall remain due; and, subject as aforesaid, all and singular the Monies which by any Means whatsoever shall come to the Hands of the said Commissioners by virtue of the said recited Acts or of this Act shall be applied, as directed by the said several herein-before recited Acts, in such and the like Manner as if this Act had not been passed: Provided always, that nothing in this Act contained shall authorize the levying or raising by the Means aforesaid any Sum or Sums of Money for any other Purpose than for the Purpose of executing the aforesaid Improvements, and other the Purposes aforesaid.

Mortgages exempted from Stamp Duty.

VII. And be it enacted, That no such Mortgage or Security which may be made or executed as aforesaid shall be subject or liable to any *ad valorem* or other Stamp Duty whatsoever imposed by any Act or Acts of Parliament now in force, or to be imposed by any future Act or Acts of Parliament, unless the same be specially subjected to and specifically charged therewith in and by such future Act and Acts.

Public Act.

VIII. 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.

CAP. XLI.

An Act to provide for the Payment of Debts, Charges, and Incumbrances affecting Houses of Industry and Workhouses, and of Advances made, conformably with previous Usage, for the lawful Purposes of such Houses of Industry and Workhouses, in certain Cases, in *Ireland*. [21st *June* 1841.]

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Eleventh and Twelfth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour or* 11 & 12 G. 3. c. 30. (I.)