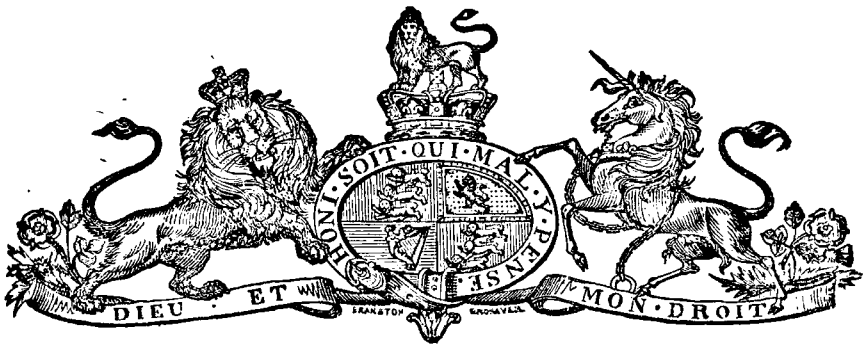


ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

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CAP. XX.

An Act to extend an Act passed in the Fourth and Fifth Years of Her present Majesty, for enabling Her Majesty's Commissioners of Woods to purchase certain Lands for *Victoria Park*.

[13th *May* 1842.]

WHEREAS by an Act passed in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act to enable Her Majesty's Commissioners of Woods to complete the Contract for the Sale of* York House, *and to purchase certain Lands for a Royal Park*, the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being were empowered, on behalf of Her Majesty, to purchase certain Lands and Hereditaments therein mentioned, and containing in the whole about Two hundred and ninety Acres, with the Houses and Buildings thereon, as or for the Site of a Royal Park, to be called "*Victoria Park*," in the Parishes of *Saint John Hackney*, *Saint Matthew Bethnal Green*, and *Saint Mary Stratford-le-Bow*, or some or one of them, in the County of *Middlesex*; and to enable the said Commissioners, on behalf of Her Majesty, to purchase and acquire, 4 & 5 Vict. c. 27.

 and

and effectually to vest in Her Majesty, Her Heirs and Successors, the said Lands and Hereditaments, it is necessary and expedient that the Powers and Provisions of the said recited Act should be extended and enlarged: 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 the Maps or Plans already made, describing the Site or intended Site and Boundaries or intended Boundaries of *Victoria Park*, after the same shall have been authenticated in Duplicate by the Signature of the Right Honourable the Speaker of the House of Commons, shall be deposited in the Office of the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and in the Office of Land Revenue Records and Enrolments, respectively, and the Maps or Plans so authenticated and deposited shall remain in such Offices respectively, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same at their Will and Pleasure, on paying the Sum of One Shilling for every such Inspection.

Maps or Plans of Victoria Park to be deposited at the Office of Woods, and at the Land Revenue Record Office.

II. And be it enacted, That the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in making, forming, and completing *Victoria Park*, shall not deviate more than Fifty Yards from the Lines described in the aforesaid Maps or Plans as the Boundaries or intended Boundaries of the said Park, without the Consent of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Tenements such Deviation shall be made.

No Deviation to be made from such Plans without Consent.

III. And be it enacted, That it shall be lawful for the said last-named Commissioners to stop up, divert, widen, or alter all or any of the Roads, Ways, Paths, or Passages which now lead into, upon, through, across, or over any Part or Parts of the Site or intended Site of *Victoria Park*, and to set out and make in lieu thereof or in addition thereto such other Roads, Ways, Paths, or Passages as to the said Commissioners may seem fit and necessary, and to make and form such convenient Approaches to the said Park as the said last-named Commissioners may deem suitable and proper; and the Ground and Soil of such Roads, Ways, Paths, or Passages as shall be so stopped up, and the Fee Simple and Inheritance thereof, shall be and the same is hereby vested in Her Majesty, Her Heirs and Successors, for the Purposes of this Act and the said recited Act.

Power to stop up and alter Roads, and to make Approaches to the Park.

IV. And be it enacted, That for the Purpose of making, forming, and completing the said Park it shall be lawful for the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, and they are hereby authorized and empowered, to take and use, or cause to be taken and used, any Lands, Tenements, or Hereditaments, and pull down and remove, or cause to be pulled down and removed, any Houses or Buildings which they may deem necessary and expedient

Power to take Lands and Houses.

expedient to take, use, or pull down and remove for the Purposes of this Act or of the said recited Act, at any Time at the Expiration of Six Calendar Months after Notice in Writing from the said last-named Commissioners, 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 or of the said recited Act the Owner shall be any Person hereby capacitated to sell.

No House to be taken without Consent, unless mentioned in the Schedule to this Act.

V. 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 or of the said recited 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.

Houses and Lands may be taken, notwithstanding Errors in the Schedule.

VI. 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 or of the said recited Act, any of the Houses, Buildings, Lands, and other Hereditaments described in the said Plan or Plans to be deposited as aforesaid as intended to be taken for the Purposes of this Act or of the said recited Act, although the same Houses, Buildings, Lands, 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 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 enter and survey Houses and Lands.

VII. 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 their 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 Lands, 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 Lands, Tenements, or Hereditaments, for the Damages that shall be thereby occasioned.

VIII. And

Commissioners empowered to treat for the Purchase of Lands.

VIII. 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, on behalf of Her Majesty, and they are hereby empowered, to treat and agree for the Purchase of any Lands, Tenements, and Hereditaments which they may deem necessary, for the Purposes of this Act or of the said recited 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 for that Purpose to enter into any Contract or Contracts which they may think fit.

Bodies Politic and Trustees empowered to sell and convey.

IX. 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, and conveying the same, 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 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 Lands, 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 Lands, 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 Lands, Tenements, or Hereditaments which by the said last-named Commissioners shall be thought necessary for any of the Purposes of this Act or of the said recited Act, to contract for, sell, and convey the same and every or any Part thereof to the Queen's most Excellent Majesty, Her Heirs and Successors, or to such Person or Persons, as a Trustee or Trustees on

behalf of Her Majesty, Her Heirs and Successors, as the said last-named Commissioners for the Time being, or any Two of them, shall direct; 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 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, or she, or any of them, shall respectively make by virtue or in pursuance of this Act or of the said recited Act.

Satisfaction for the Value of Lands taken may be accepted.

X. 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 Lands, Tenements, or Hereditaments as aforesaid, and any other Owner or Owners of any such Lands, 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 Tenant's Fixtures, or for any other Injury or Damage as shall be sustained on account of the Execution of this Act or of the said recited Act, or in anywise relating thereto, may accept and receive such Sum of Money in respect thereof as shall be agreed upon between them respectively and the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty; and in case the said Commissioners and the said Parties interested in such Lands, 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.

Parties to deliver Statements of their Claims within One Month after Notice.

XI. And be it enacted, That on or before the Expiration of One Calendar Month next after Notice in Writing from the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, or their Agent duly authorized, of the Intention to take or use any Lands, Tenements, or Hereditaments, or any Part thereof, for the Purposes of this Act or of the said recited 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 or by the said recited 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 or of the said recited Act, shall deliver or cause to be delivered to the said last-named Commissioners for the Time being,

being, 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 (if any) 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.

If Parties refuse to treat, or shall not agree, a Jury to be summoned.

XII. 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 Lands, 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, on behalf of Her Majesty, are hereby or by the said recited Act 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 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 Sheriff of *Middlesex*, or his Under Sheriff, or in case such Sheriff or Under Sheriff shall be in 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 County of *Middlesex*, which Oaths the said Sheriff, Under Sheriff, or Coroner is and are hereby empowered and required to administer, what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Lands, Tenements, or Hereditaments, and of the proportionable Value of the respective Estates and Interests of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess 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 Lands, Tenements, or Hereditaments, and of such respective Estates and Interests therein, and also for Goodwill, Improvements, or any Injury or Damage whatsoever, that may affect any such Person or Persons, Party or Parties, provided such Goodwill shall be estimated by what, in the Opinion of such Jury, the same would have been worth in case the Alterations or Improvements intended by this Act or the said recited Act had not been in contemplation; 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 Lands, Tenements, or Hereditaments shall form Part; and in order thereto the said Sheriff or Coroners 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, or Coroner is and are hereby empowered to administer); and such Sheriff, Under Sheriff, or Coroner respectively shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all other lawful Ways and Means, as well for his and their own as for the said Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, 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, 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, or Coroner to summon, impannel, and return, at some convenient Place in the said County of *Middlesex*, a Jury of not less than Thirty-six or more than Forty-eight honest and indifferent Men, qualified according to Law to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, 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 or any Two of them, 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, or Coroner is and are hereby empowered and required 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, 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, or Coroner shall return other honest and indifferent Men of Standers-by, or that can be speedily procured to attend that Service,

(being

(being qualified as last aforesaid,) to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard and to adduce Evidence before the Sheriff, Under Sheriff, or Coroner respectively; and such Persons shall also have their lawful Challenge 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.

XIII. And be it enacted, That if the Owner, Lessee, or Occupier of any Lands, Tenements, or Hereditaments authorized to be taken by virtue of this Act or of the said recited 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 or of the said recited 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 or of the said recited 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, on behalf of Her Majesty, 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.

XIV. 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 of the said recited 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, Jury, and Witnesses for Neglect of Duty.

XV. And be it enacted, That if the Sheriff, Under Sheriff, 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, by Action

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*, 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 or of the said recited Act.

Jury shall, if required, assess Value of Fee Simple, and then apportion the Values of respective Interests therein.

XVI. And be it enacted, That in all Cases in which a Verdict shall be given for the Value of any Lands, 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 Lands, 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.

XVII. 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 Lands, 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, or Charges thereon, and the Money assessed or adjudged for 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, give sufficient Particulars to enable the said Commissioners to make a proper Offer.

Providing for Expences of Jury.

XVIII. 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 Lands, Tenements, or Hereditaments, or for any such Goodwill, Improvements, Injury, or Damage as aforesaid, than shall have been agreed to be given and offered for the same 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, on behalf of Her Majesty, 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, or Coroner before whom such Claim shall have been tried, and shall be paid by the said Commissioners, on behalf of Her Majesty; 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 have been 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 of the said recited 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, or Coroner in manner aforesaid, shall be paid to the said Commissioners, on behalf of Her Majesty, 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, on behalf of Her Majesty, shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them

as

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, on behalf of Her Majesty, 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*, 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.

XIX. And be it enacted, That all the said Judgments and Verdicts shall be recorded in the Office of Land Revenue Records and Enrolments, and a Minute or Docquet thereof respectively entered in the Office of the said 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*, to be kept and preserved by him amongst the Records of the Quarter Sessions of the said County, 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 each 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 to purchase the Whole if the Owners decline to sell a Part of a House, &c.

XX. 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 be lawful for the said Commissioners, on behalf of Her Majesty, and they are hereby required, at the Option of any Owner or Owners of any such House, Building, Yard, or Curtilage, to purchase of and from the said Owner or Owners the Whole, or such Part thereof, 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 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

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 Property under Leases to produce the same.

XXI. 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 of or entitled unto in any Lands, Tenements, or Hereditaments intended to be taken or used under the Authority of this Act or of the said recited 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.

Conveyance of Copyhold Land to be inrolled.

XXII. And with respect to any Lands, Tenements, or Hereditaments which shall be of Copyhold or Customary Tenure, or of the Nature thereof, be it enacted, That every Conveyance of any such Lands, Tenements, or Hereditaments to a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, shall be entered on the Rolls of the Manor or Manors of which the same shall be held or Parcel, and on Payment to the Steward of the Manor of such Fees as would be due to him on the Surrender of the same Lands, Tenements, or Hereditaments to the Use of a Purchaser thereof, he shall make such Inrolment, and every such Conveyance, when so inrolled, shall have the like Effect, in respect of such Copyhold or Customary Lands, Tenements, or Hereditaments, as if the same had been of Freehold Tenure.

Copyhold Lands to be enfranchised.

XXIII. And be it enacted, That before the said Commissioners, on behalf of Her Majesty, shall make use of any such Copyhold or Customary Lands, Tenements, or Hereditaments for the Purposes of the said Park, they shall procure the same to be enfranchised, and for that Purpose they shall, with all reasonable Speed after the Inrolment of the Conveyance thereof, apply to the Lord or Lords, Lady or Ladies of the Manor or Manors whereof such Lands are held, to enfranchise the same, and shall pay to him, her, or them such Compensation in respect thereof as shall be agreed upon between the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, and the Lord or Lords, Lady or Ladies of such Manor or Manors; and if the Parties fail to agree respecting the Amount of the Compensation to be paid for such Enfranchisement the same shall be determined as in other Cases of disputed Compensation, and in

estimating such Compensation the Loss in respect of Fines, Heriots, and other Services payable on Death, Descent, or Alienation, which will be lost by the vesting such Copyhold or Customary Lands, Tenements, or Hereditaments in Her Majesty, Her Heirs and Successors, or in a Trustee or Trustees on behalf of Her Majesty, Her Heirs and Successors, or by the Enfranchisement of the same, shall be allowed for.

Lords of Manors to enfranchise on Payment of Compensation.

XXIV. And be it enacted, That upon Payment or Tender of the Compensation so agreed upon or determined the Lord or Lords, Lady or Ladies of the Manor or Manors whereof such Copyhold or Customary Lands, Tenements, or Hereditaments shall be holden shall enfranchise such Lands, Tenements, or Hereditaments, and the Lands, Tenements, or Hereditaments so enfranchised shall for ever thereafter be vested in Her Majesty, Her Heirs and Successors; and if, upon such Payment or Tender to the Lord or Lords, Lady or Ladies of such Manor or Manors, he, she, or they fail to enfranchise such Lands, or fail to produce a good Title to the Manor or Manors whereof such Lands, Tenements, or Hereditaments shall be holden or Parcel, the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, shall pay the Amount of such Compensation into the Bank of *England*, in manner required in other like Cases of Monies required to be deposited, and thereupon such Lands, Tenements, or Hereditaments shall be deemed to be enfranchised, and well and effectually vested in Her Majesty, Her Heirs and Successors for ever.

Apportionment of Copyhold Rents.

XXV. And be it enacted, That if any such Copyhold or Customary Lands, Tenements, or Hereditaments be subject to any Customary or other Rent, and Part only of the Lands, Tenements, or Hereditaments subject to any such Rent be required to be taken for the Purposes of this Act or the said recited Act, the Apportionment of such Rent may be settled by Agreement between the Owner of the Lands, and the Lord or Lords, Lady or Ladies of the Manor or Manors, on the one Part, and the said Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, on behalf of Her Majesty, on the other Part, and if such Apportionment be not so settled by Agreement, then the same shall be settled by Two Justices, and the Enfranchisement of any Copyhold or Customary Lands, Tenements, or Hereditaments taken by virtue of this Act or the said recited Act, or Apportionment of such Rents, shall not affect in other respects any Custom by or under which any such Copyhold or Customary Lands, Tenements, or Hereditaments not taken for the Purposes of this Act or the said recited Act shall be held; and if any of the Lands, Tenements, or Hereditaments so required be released from any Portion of the Rents to which they were subject jointly with any other Lands, Tenements, or Hereditaments, such last-mentioned Lands, Tenements, or Hereditaments shall be charged with the Remainder only of such Rents; and with reference to any such apportioned Rents, the Lord or Lords, Lady or Ladies of the Manor or Manors, shall have all the same Rights and Remedies over the Lands, Tenements, or Hereditaments to which such apportioned Rents shall have been assigned or attributed as he had previously over the whole of the Lands, Tenements, or Hereditaments subject to such Rents for the whole of such Rents.

For settling Disputes as to Damages of a small Amount.

XXVI. 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 or of the said recited Act, as to the Amount or Value of the Damage done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act or of the said recited 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 of the County of *Middlesex*, and who, upon Application made to them by both or either of the said Parties, shall examine into the Matter in dispute, and shall determine and settle the Amount of Compensation which shall be payable by the said Commissioners, on behalf of Her Majesty; 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 till Purchase Money is paid or tendered.

XXVII. 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, on behalf of Her Majesty, 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 or of the said recited Act.

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

XXVIII. And be it enacted, That if any Body or Bodies, Person or Persons, seised or possessed of or interested in any such Lands, 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 Lands, 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 in 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 Lands, Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall from thenceforth vest in the Queen's most Excellent Majesty, Her Heirs and Successors, as Part and Parcel of the Possessions and Land

Revenues of Her Majesty in right of the Crown, 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, Interests, Liens, 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 and the said recited Act mentioned and contained.

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

XXIX. And be it enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or for any other Right, Matter, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of this Act or of the said recited 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 Chancery, to be placed to his Account there *ex parte* "The Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings," pursuant to the Method prescribed by an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the First, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of* East India *Bonds, and Indorsements thereon, and likewise Indorsements on* South Sea *Bonds*, and pursuant to the General Rules and Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to empower the High Court of Chancery to lay out on proper Securities any Monies, not exceeding a Sum therein limited, out of the common and general Cash in the Bank of* England *belonging to the Suitors of the said Court, for the Ease of the said Suitors, by applying the Interest arising therefrom for answering the Charges of the Office of the Accountant General of the said Court;* and such Money shall remain so deposited

12 G. 1. c. 32.

12 G. 2. c. 24.

sited until the same be applied, under the Direction 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 Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other 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 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 Lands, 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.*

XXX. Provided also, and be it enacted, That if any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, purchased, taken, or used for the Purposes aforesaid, belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons, for the Time being entitled to the Rents and Profits of the Hereditaments, or Parts, Shares, Estates, Interests, or Charges, so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Chancery, 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

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 Chancery.

Where less than 20*l.*

XXXI. 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, &c.

XXXII. 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 Lands, 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 Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, be not known or discovered, then and in every such Case it shall 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 Chancery, to be placed to his Account to the Credit of the Party or Parties, if known, who shall be interested in the said Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interest, 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 Chancery; 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 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.

XXXIII. 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 Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or Part or Parts thereof, or of any Estate, Right, Title, Charge, or Interest in, to, or upon any Lands, 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 Lands, Tenements, or Hereditaments, Parts, Shares, Estates, Interests, or Charges, at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, and Hereditaments, Parts, Shares, Estates, Interest, or Charges, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; 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 Lands, Tenements, or Hereditaments, or Part or Parts thereof, or to some Estate or Interest therein or Charge thereon.

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

XXXIV. 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 Lands, Tenements, or Hereditaments, or Part or Parts thereof, or Share or Shares, Estate or Estates, Interest or Interests therein, or Charge or Charges thereon, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, 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 so much of the Expences of any Purchase to be made in pursuance of this Act as the said Court shall deem reasonable to be paid by the said Commissioners, who shall pay the same 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

XXXV. And be it enacted, That where the Money awarded to be paid for any Lands, 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 Lands, Tenements, or Hereditaments to the Satisfaction of the said Commissioners or any Person or Persons authorized by them, by reason of the same Lands, 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 Lands, Tenements, or Hereditaments so to be taken, then and in every or any such Case the Lands, 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 Chancery, 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 Lands, Tenements, and Hereditaments for the Value of which such Monies respectively shall have been paid as aforesaid, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled (subject, together with such other Lands, Tenements, or Hereditaments, to such Rent,) to the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, 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 Lands, Tenements, or Hereditaments hereby directed to be purchased in case such Purchase and Settlement were made; and the Lands, Tenements, or Hereditaments so to be purchased and settled shall be subject to the Rent to 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 Lands, 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 Lands, 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

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.

the Lands, 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 Lands, Tenements, or Hereditaments, together with the other Lands, Tenements, or Hereditaments subject thereto; and in the meantime, and until such Purchase shall be made, it shall be lawful for the said Court, 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 the Rents charged thereon, or to apportion the same.

XXXVI. And be it enacted, That where any Lands, Tenements, or Hereditaments purchased, or wanted or intended to be purchased, by the said Commissioners, on behalf of Her Majesty, shall be subject, solely, or jointly with other Lands, 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, on behalf of Her Majesty, to agree for the Release of the Lands, 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 Lands, Tenements, or Hereditaments purchased, or wanted or intended to be purchased, and shall also (where necessary or convenient) apportion the Rent, Payment, or Incumbrance affecting the Lands, Tenements, or Hereditaments jointly subject to Rent, Payment, or Incumbrance, as herein-before mentioned, according to the respective Values of the Lands, Tenements, or Hereditaments purchased, or wanted or intended to be purchased, and of the Lands, Tenements, or Hereditaments not purchased, or wanted or intended to be purchased, by the said Commissioners, and all Contracts which shall be made by and between the said Commissioners, on behalf of Her Majesty, and any such Party as aforesaid, respecting such Release, shall be valid and effectual in the Law, and all Conveyances and Assurances which shall be made to Her Majesty, Her Heirs and Successors, respecting such Releases, shall extinguish the Whole or a proportionate Part of such Rent, Payment, or Incumbrance (as the Case may be): Provided always, that when the Party entitled to such Rent, Payment, or Incumbrance shall

shall consider the remaining Part of the Lands, Tenements, or Hereditaments so jointly subject, and the same shall in fact be, sufficient Security for such Rent, Payment, or Incumbrance, and shall be willing to release the Lands, Tenements, or Hereditaments so purchased by the said Commissioners, on behalf of Her Majesty, 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 Lands, Tenements, or Hereditaments so purchased therefrom, with the Consent of the Owner of the Lands so purchased, and also of the Owner of the Lands, Tenements, or Hereditaments so purchased as aforesaid, from the Rent, Payment, or Incumbrance so affecting the same as aforesaid, jointly with other Lands, Tenements, or Hereditaments, on condition or in consideration of such other Lands, 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 Lands, 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 Lands, Tenements, or Hereditaments, by the said Commissioners, such last-mentioned Lands, 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 the 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 Lands, 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 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.

XXXVII. And be it enacted, That in all Cases in which a Part only of any Lands, 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 Lands, Tenements, or Hereditaments comprised in such Lease or Agreement for Lease shall be apportioned between the Lands, Tenements, or Hereditaments required for the Purposes of this Act, and the Residue of such Lands, 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 Lands, 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 not be valid without,

without, the Consent and Approbation of the Lessor from whom such Lands, 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 Lands, 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 Lands, Tenements, or Hereditaments not required for the Purposes of this Act; and the Lessor of the said Lands, Tenements, or Hereditaments shall have all such and the same Remedies for Rent so apportioned, in respect of the Lands, 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 Lands, 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 Lands, Tenements, or Hereditaments, but not further or otherwise, continue in full Force and Operation.

Mortgagees to convey to Her Majesty.

XXXVIII. And be it enacted, That all Bodies Politic, Corporate, and Collegiate, Trustee and Trustees, and all other Persons having any Mortgage on any Lands, 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 in possession of such Lands, Tenements, or Hereditaments by virtue of such Mortgage, or not, and whether such Mortgage shall affect such Lands, Tenements, or Hereditaments solely, or jointly with any other Lands, 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 Lands, 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 Lands, Tenements, or Hereditaments which shall be so required, to the Queen's most Excellent Majesty, Her Heirs and 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 Lands, 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 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 Lands, Tenements, or Hereditaments which shall be so required for the Purposes of this Act, to the Queen's most Excellent Majesty, Her Heirs and Successors, or as the said Commissioners shall direct; and in case any such Mortgagee 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 Chancery, 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 Time 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 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 Queen's Majesty, Her Heirs and 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.

XXXIX. And be it enacted, That in all Cases in which any Lands, Tenements, or Hereditaments subject to any Mortgage shall be required for the Purposes of this Act, which Lands, Tenements, or Hereditaments shall be of less Value than the Principal Monies, Interest, and Costs secured thereon, or in which a Part only of the Lands, 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 Lands, Tenements, or Hereditaments, and the Mortgagee or Mortgagees thereof shall not consider the remaining Part of such Lands, Tenements, or Hereditaments to be a sufficient Security for the Monies 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 Lands, Tenements, or Hereditaments, or, as the Case may be, of such Part of the said Lands, Tenements, or Hereditaments as shall be so required for the Purposes aforesaid, and also

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 Lands, 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 behalf of Her Majesty, 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 Lands, 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 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 a 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 Lands, Tenements, or Hereditaments shall become absolutely vested in the Queen's Majesty, Her Heirs and 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 Lands, 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 Lands, Tenements, or Hereditaments originally comprised in such Mortgage: Provided also, that when a Part only of the Lands, Tenements, or Hereditaments (subject to any Mortgage) shall have been taken for the Purposes of this Act as aforesaid, and the Value of the Lands, Tenements, or Hereditaments so taken shall, on the Assignment or Conveyance thereof to the Queen's Majesty, Her Heirs and 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 Her Majesty, 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 Lands, Tenements, or Hereditaments comprised in such Mortgage Deed.

XL. And

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

XL. 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 Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by virtue of this Act, or vested in Her Majesty 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 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 Lands, Tenements, 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 Lands, Tenements, or Hereditaments, or any Part of any Lands, Tenements, or Hereditaments, which shall or may be purchased in pursuance of this Act by the said Commissioners, or vested in Her Majesty 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 Her Majesty, Her Heirs and Successors, or 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* to issue his Precept or Warrant to the Constables of the said County, or any of them, or to any Person or Persons to be by such Justice appointed a Constable or Constables for that especial Purpose, commanding and requiring such Constable or Constables, or any of them,

them, to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same by such Commissioners, on behalf of Her Majesty, 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.

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

XLI. 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, on behalf of Her Majesty, 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.

XLII. And be it enacted, That it shall be lawful for the said Commissioners, on behalf of Her Majesty, 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 in 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 of the said recited Act, or any of them.

Sewers or Drains to be arched over or filled up.

XLIII. 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 cause to be arched over or filled up all such Sewers, Drains, and Watercourses, or Part or Parts thereof, which shall lie and be in or near the said Park or intended Park, as shall appear to them necessary for completing the Purposes of this Act, so as that no public Sewer or Drain, or any private Drain, shall be 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 or Drains, to be approved of by the said 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 if 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 re-built or re-made of enlarged Capacity, 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 re-built 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 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.

Punishing Persons for giving false Evidence.

XLIV. 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.

Limitation of Power of purchasing Lands.

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

Power of purchasing Lands for Roads, &c. to the Park, with Consent.

XLVI. And whereas when the said Park has been made it may be found desirable to form new Roads, Avenues, or Approaches thereto, in addition to those now existing or herein-before specially provided for, and it is therefore expedient that the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings should be empowered to take, use, or acquire any Lands, Messuages, Tenements, or Hereditaments that may be found necessary for the Purpose of making such Roads, Avenues, or Approaches to the said Park; be it therefore enacted, That all the Clauses and Provisions herein-before contained for authorizing the said Commissioners to take and use or acquire, and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, Feoffees in Trust, Tenants for Life or Years, Executors, Administrators, Guardians, Husbands, Committees, Femes Covert, and all other Trustees and Persons, to convey the Lands, Messuages, Tenements, or Hereditaments mentioned or described in the Schedule to this Act, shall extend and be applicable to any Lands, Messuages, Tenements, or Hereditaments which the said Commissioners, with the Consent of the Lord High Treasurer for the Time being, or any Three of the Commissioners for the Time being of Her Majesty's Treasury, shall think proper or expedient to be acquired for the Purpose

pose of making, forming, and completing such new Roads, Avenues, or Approaches as aforesaid to the said Park; provided that nothing herein contained shall authorize the said Commissioners to take or use any Lands, Messuages, Tenements, or Hereditaments, for the Purpose of making such new Roads, Avenues, or Approaches, against the Consent of the Parties interested in such last-mentioned Lands, Messuages, Tenements, or Hereditaments, and hereby authorized and empowered to convey the same.

Commissioners exempted from personal Responsibility.

XLVII. And be it enacted, That nothing contained in this Act, or to be contained in any Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument entered into, made, taken, or executed by the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any of them, or by any Trustee or Trustees on behalf of Her Majesty, Her Heirs or Successors, in execution of the Powers of this Act or the said recited Act, shall extend to charge the Persons or Person of all or any of the Commissioners, Trustee or Trustees, executing any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, Trustee or Trustees, or any of them, or their or any of their own proper Lands, Tenements, Goods, or Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument to be contained, on the Part of the same Commissioners, Trustee or Trustees, or any of them, but the Amount of all Sums, Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity, against them the said Commissioners, Trustee or Trustees, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners, Trustee or Trustees, or any of them, or their or any of their Heirs, Executors, or Administrators, shall bear, pay, expend, or be put to, or which shall be occasioned to them for or by reason or means of any such Agreement, Contract, Lease, Assignment, Conveyance, or other Instrument, or any Covenant, Condition, or Agreement therein contained, or any Action or Actions, Suit or Suits, to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised, arise, or be received from the Possessions and Land Revenues of the Crown.

Act to be taken as Part of 4 & 5 Vict. c. 27.

XLVIII. And be it enacted, That this Act shall be taken to be a Part of the said recited Act of the Fourth and Fifth Years of the Reign of Her present Majesty.

Public Act.

XLIX. 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 referred to in and by this Act.

Description.	Parish.	Freeholders or Copyholders.	Leaseholders.	Occupiers.
Grazing Land, known as Bonner's Fields, South of the Bishop's Road.	St. Matthew Bethnal Green.	Henry Clutterbuck, Esquire, M.D., Henry Dickinson, Esquire, Benjamin Harrison, Esquire, Henry Rouse, Esquire, the Reverend Thomas Whalley Wickham, Trustees of Robinson's Charity.	- - -	John Ridge.
N° 1, Bonner's Hall. The Bonner's Arms Beer House.	Ditto -	Ditto - -	- - -	Mary Salter.
N° 2, Bonner's Hall	Ditto -	Ditto - -	- - -	Ellen Bell.
N° 3, Ditto -	Ditto -	Ditto - -	- - -	Matthew Habershon.
N° 4, Ditto -	Ditto -	Ditto - -	- - -	Sarah Rodgers.
N° 5, Ditto -	Ditto -	Ditto - -	- - -	Richard Moore.
N° 6, Ditto -	Ditto -	Ditto - -	- - -	Sarah Gilbie.
Land South of the Bishop's Road.	St. Matthew Bethnal Green.	Captain Charles Sotheby.	John Ridge -	John Ridge.
Land North of the Bishop's Road. -	Ditto -	Ditto - -	Ditto -	Ditto.
Land, Part Grazing Land and Part a Brickfield, North-east of the Regent's Canal.	St. John Hackney and St. Matthew Bethnal Green.	Ditto - -	Ditto -	Ditto.
Grazing Land West of Grove Street Lane.	St. Matthew Bethnal Green.	Sir James Flower, Baronet, Sir James Shaw, Baronet, Charles Wilson, Robert Whalley, Edward Colebatch, Alderman Thomas Johnson, Joseph Bishop, Benjamin Standring, George Wright, George Barker, John Annis, Thomas Carlisle Hayward, Richard Ellis, Joseph Colebatch, James Martin, William Christie, Thomas Cording, William Wood, Henry John White, James Richard Thompson, Edward Jones, Trustees of Sir John Cass's Charity.	William Carter, John Ridge.	Ditto.
N° 1 and 2, York Place, near Valentine Corner. The Gardeners Arms Beer House and Tea Gardens.	Ditto -	Ditto -	William Carter, John Crowfoot, William Fitch.	William Fitch.

Description.	Parish.	Freeholders or Copyholders.	Leaseholders.	Occupiers.
No 3, York Place -	St. Matthew Bethnal Green.	Ditto - -	William Flood Minter.	Henry Warner.
No 4, Ditto -	Ditto -	Ditto - -	Ditto -	Mary Minter.
No 5, Ditto -	Ditto -	Ditto - -	Ditto -	Jonathan Higgins.
No 6, Ditto -	Ditto -	Ditto - -	Ditto -	Elizabeth Howard.
No 7, Ditto -	Ditto -	Ditto - -	Ditto -	William Flood Minter.
The Three Colts Tavern and Tea Gardens, Valentine Corner, near Grove Street, Hackney.	St. Matthew Bethnal Green.	Sir James Flower, Baronet, and Twenty others, as before stated, Trustees of Sir John Cass's Charity.	John Davis, John William M'Nab.	John William M'Nab.
A Dwelling House, Orchard, and Garden, West of Grove Street Lane.	Ditto -	Ditto - -	John Davis, Andrew German.	Nicholas Warren.
No 1, Valentine Corner.	Ditto -	Ditto - -	John Davis -	Richard Colley.
No 2, Ditto -	Ditto -	Ditto - -	Ditto -	William Runham.
No 3, Ditto -	Ditto -	Ditto - -	Ditto -	Thomas Coe.
A Farm House and Buildings on the West Side of the Grove Road, and North of Sir George Duckett's Canal.	Ditto -	Thomas Coxhead Marsh.	John Gardner -	John Gardner.
No 1, King's Arms Row, Old Ford Lane.	Ditto -	Ditto - -	Ditto -	John Gardner, or his weekly Tenants.
No 2, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
No 3, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
No 4, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
No 5, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
No 6, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
No 7, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
No 8, Ditto -	Ditto -	Ditto - -	Ditto -	Ditto.
A triangular Piece of Ground on the East Side of the Grove Road, and North Side of Sir George Duckett's Canal, used as a Market Garden.	Ditto -	Ditto - -	Ditto -	Ditto.
Land used as a Market Garden, with a Tenement and Barn thereon, South of Providence Row.	St. Matthew Bethnal Green and St. John Hackney.	The Trustees of the Spanish and Portuguese Jews Congregation.	- - -	John Cater.
Land used as a Market Garden, with a Dwelling House and Sheds thereon, North of Old Ford Lane, and West of Grove Street Lane.	Ditto -	William Bradshaw -	John Mandeno	John Mandeno, James Byford.

Description.	Parish.	Freeholders or Copyholders.	Leaseholders.	Occupiers.
A Dwelling House and Garden, near Providence Row.	St. John Hackney.	The Reverend Charles Carpenter, William Emberick, Executors of the Will of the late Mrs. Mary Ball.	- - -	Michael Horden Peake.
Land used as Garden Ground, and a Tenement thereon, near Providence Row.	Ditto -	Ditto - -	William Ivory	William Ivory.
Land used as Garden Ground, with a Tenement thereon, North of Sir George Duckett's Canal.	St. Matthew Bethnal Green.	John Ridge - -	- - -	James Batty.
Arable Land, South of Grove Street Lane.	St. Mary Stratford-le-Bow and St. John Hackney.	Ditto - -	- - -	John Ridge.
Land for Grazing, North of Sir George Duckett's Canal.	St. Mary Stratford-le-Bow.	Sir George Duckett -	- - -	William Eagle.
Land used as Garden Ground, with a Dwelling House and Sheds thereon, South of Grove Street Lane.	St. John Hackney.	William Thompson, Sarah Grant, Mary Wilson.	Mary Roberts	Mary Roberts.
Ditto - -	St. John Hackney and St. Mary Stratford-le-Bow.	Ditto - -	Finley Fraser	Finley Fraser.
Land used as Garden Ground, with a Dwelling House and Sheds thereon.	Ditto -	Ditto - -	John Woodcock.	John Woodcock.
Ditto - -	Ditto -	Ditto - -	Mary Roberts	Mary Roberts.
Ditto - -	Ditto -	Ditto - -	Alexander Leighton.	Alexander Leighton.
Land used as Garden Ground, with a Dwelling House and Sheds thereon, South of Grove Street Lane.	St. John Hackney.	Ditto - -	John Greig -	John Greig.
Land used as Garden Ground, West of Old Ford Lane.	St. John Hackney and St. Mary Stratford-le-Bow.	Ditto - -	Thomas Rumball.	Thomas Rumball.
Land used as Garden Ground, near Hackney Wick.	St. John Hackney.	Samuel Mills, Esquire	Henry Lytton	Henry Lytton.
Land for Grazing, near Hackney Wick.	Ditto -	Sarah Avila - -	- - -	John Lowe.

Description.	Parish.	Freeholders or Copyholders.	Leaseholders.	Occupiers.
Land used for Grazing, with Tenement and Kiln thereon, North of Sir George Duckett's Canal.	St. Mary Stratford-le-Bow.	Isaac Bird - -	- - -	William Eagle.
Land for Grazing, North of Sir George Duckett's Canal, and West of Old Ford Lane.	Ditto -	The Right Honourable Charles Shaw Lefevre.	Michael Scales	Michael Scales.

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