

ANNO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XXII.

An Act to enable the Commissioners of *Greenwich* Hospital to widen and improve *Fisher Lane* in *Greenwich*; and for other Purposes connected with the Estates of the said Commissioners.

[8th *May* 1845.]

WHEREAS it would contribute to the Improvement of the Royal Hospital at *Greenwich*, and the Estate of the said Commissioners of *Greenwich* Hospital in the Vicinity thereof, that a certain Street, Lane, or Highway called or known by the Name of "*Fisher Lane*," in the Town of *Greenwich* aforesaid, should be improved and widened, so as to make the same a good and sufficient Street for Carriages, and that the several Roads or Ways following, (that is to say,) a Road or Way called "*Friar's Road*," and another Road or Way commencing on the East Side of *King William Street*, and proceeding thence Eastward up to the West Side of *Friars Road*, and Part of another Road, Highway, or Place, called "The *Ship Dock*," commencing at the North End of *Friars Road*, and Part of another Road or Highway called "*Stable Yard Street*," and an Alley called "*White Horse Alley*," all of them situate in the Parish of *Greenwich*, all herein-after more particularly described, should be stopped up: And whereas the said Commissioners of *Greenwich* Hospital are willing to take upon themselves the Execution of the above-mentioned Alterations and Improvements, and it is expedient that adequate

Powers should be given to them to enable them to carry the same into effect; and in making and completing the said Alterations and Improvements they will have Occasion for certain Houses, Buildings, Lands, and Hereditaments situate in the said Parish of *Greenwich*, mentioned and comprised in the Schedule to this Act, but good and effectual Conveyances thereof cannot be obtained, nor can the said several Objects be effected, without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 said Commissioners of *Greenwich* Hospital and their Successors shall be and they are hereby empowered to widen the said Lane or Highway called "*Fisher Lane*," and to form the said Lane or Highway into a Street, commencing at the East Side of *King William Street*, towards and up to the *Ship Dock* aforesaid, and to make such Street of an uniform Width of not less than Fifty Feet, so that the same shall thenceforth be and continue a public Parish Highway and Carriageway for the Use of all Persons whomsoever, and to make the Alterations and Improvements herein mentioned, and otherwise to carry the Purposes of this Act into execution in manner herein-after mentioned.

Commissioners of Greenwich Hospital empowered to widen Fisher Lane, &c.

II. And be it enacted, That in forming the said Street, and making the said Alterations and Improvements, it shall be lawful for the said Commissioners of *Greenwich* Hospital and their Successors, and they are hereby authorized and empowered, when they shall deem it necessary, within Three Years from the passing of this Act, to treat and agree for the Purchase of any of the Houses, Buildings, Lands, Tenements, or Hereditaments mentioned and comprised in the Schedule to this Act annexed, and of any subsisting Leases, Terms, Estates, and Interests therein or charged thereon, which the said Commissioners or their Successors may deem necessary or expedient to be purchased for the Purposes of this Act.

Power to purchase Houses, Lands, &c.

III. And be it enacted, That if the said Commissioners of *Greenwich* Hospital, or their Successors, shall not within the Space of Three Years, to be computed from the passing of this Act, purchase or cause to be valued the Houses, Buildings, Lands, Tenements, and Hereditaments mentioned and comprised in the said Schedule to this Act annexed, and pay the Consideration Money or Money awarded for the same respectively in manner directed by this Act, then and from thenceforth the Powers which are hereby granted to them for such Purpose only shall, as to the Properties not taken or purchased at the Expiration of the said Term of Three Years, cease, determine, and be void, unless with the Consent in Writing of the Owners and Occupiers of any Houses, Buildings, Lands, Tenements, and Hereditaments which shall not then have been purchased as aforesaid.

If Houses, &c. not purchased or valued within a certain Time, Powers of Purchase to cease.

IV. And be it enacted, That it shall be lawful for the said Commissioners of *Greenwich* Hospital, and for their Surveyors, Officers, and Workmen, from Time to Time, at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing,

Parties surveying not to be deemed Trespassers.

to enter into and upon all or any of the said Houses, Buildings, Lands, Tenements, and Hereditaments comprised in the said Schedule hereto, for the Purpose of surveying or valuing the said Premises, without being deemed Trespassers, and without being subject or liable to any Fine, Penalty, or Punishment on account of entering or continuing upon any Part of the said Premises, for the Damages which shall be thereby occasioned.

Authorizing incapacitated Persons and others to treat with the Commissioners for the Purchase of Buildings, &c.

V. And be it enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Fee Simple or for any less Estate, absolute, qualified, or conditional, and to and for all Tenants for Life, Tenants in Tail, Tenants for Lives, or for Years absolute, or determinable on any Life or Lives, Trustees or Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and all other Trustees and Persons whomsoever, 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 under any Disability of acting for themselves, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for all and every other Person and Persons whomsoever who is, are, or shall be seised or possessed of or interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments mentioned and comprised in the said Schedule to this Act annexed, to contract and agree with the said Commissioners of *Greenwich* Hospital and their Successors for the Sale or Exchange of the same Premises and every Part thereof, and to convey and assure the same Premises respectively, and every or any Part thereof, unto and to the Use of the said Commissioners and their Successors; and all such Contracts, Exchanges, Conveyances, and Assurances, Acts and Deeds, which shall be made under or in pursuance of this Act, shall, without any other Act or Assurance in Law whatsoever, be valid and effectual in Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding, and shall operate as and be a complete Bar to all Estates Tail, and all other Estates, Rights, Titles, Trusts, and Intents whatsoever; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, so contracting and agreeing as aforesaid, are hereby indemnified for or in respect of any such Sale or Exchange which they or any of them shall respectively make by virtue or in pursuance of this Act.

Messuages, &c. when conveyed to be settled to the same Uses.

VI. And be it enacted, That any Messuages, Lands, Tenements, or Hereditaments which under the Powers of this Act contained shall be conveyed in exchange for any Premises mentioned and comprised in the said Schedule which shall be taken for the Purposes of this Act, and shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Lunatic, or other Person or Persons under any Disability or Incapacity, or not legally entitled absolutely to dispose thereof, shall, when so conveyed, stand and be settled and limited to, for,

for, and upon such and the like Uses, Trusts, Intents, and Purposes, and shall be subject to the same Powers of leasing or other Powers, and in the same Manner, as the Premises so taken as aforesaid stood settled, limited, or subject, or such of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking effect.

In case Parties refuse to treat, the Value, &c. to be settled by a Jury.

VII. And be it enacted, That if any Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, Feme Covert, or any other Person or Persons seised, possessed of, or interested in any Houses, Buildings, Lands, Tenements, or Hereditaments mentioned and comprised in the said Schedule to this Act annexed, or any Estate or Interest therein which the said Commissioners of *Greenwich* Hospital and their Successors are empowered to purchase, take, and use for the Purposes of this Act, shall neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence or Disability shall be prevented from treating with the said Commissioners or their Successors 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 of which they may be in the Possession, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners or their Successors, then and in every or in any such Case the High Sheriff of the County of *Kent* shall, upon the Warrant of the said Commissioners or their Successors, in manner herein-after mentioned, and he is hereby authorized and required to cause it to be inquired into and ascertained, upon the Oaths of a Jury of Twelve indifferent Men of the said County of *Kent*, which Oaths the said Sheriff is hereby empowered to administer, what Damages will be sustained by and what Recompense and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for the Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, and for the proportionable Value of the respective Estates and Interests of every Owner, Occupier, Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and assess and award the Sum or Sums of Money to be paid to such Person or Persons, Party or Parties respectively, for the Purchase of such Houses, Buildings, Lands, Tenements, or Hereditaments, and of such respective Estates and Interest therein, and also for any Injury or Damage that may affect any such Person or Persons, Party or Parties, and in order thereto the said Sheriff is 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 is hereby empowered to administer; and such Sheriff 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 own as for the Jury's better Information in the Premises, as the said Sheriff shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by

by the said Jury to be paid by the said Commissioners or their Successors to the said Owners or Occupiers, 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, Corporations and Trustees, as well as all other Parties and Persons whomsoever; and in all such Inquisitions the Person claiming Compensation shall be deemed the Plaintiff, and entitled to all the Privileges to which Plaintiffs in an Action at Law are entitled; and for the summoning and returning such Jury or Juries the said Commissioners and their Successors are hereby empowered to issue their Warrant or Warrants to the said Sheriff to summon, impannel, and return, at some convenient Place in the said County of *Kent*, 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 at such Time and Place as in such Warrant shall be appointed; and Fourteen Days Notice at least in Writing under the Hands of the said Commissioners or their Successors, or under the Hand of their Secretary or Solicitor for the Time being, 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 immediately interested in the Verdict of the Jury, touching the Premises intended to be valued before the Time of the Meeting of the said Jury, by leaving such Notice at the Dwelling House of such Person or Persons, or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises intended to be valued, where such Tenant or Occupier is known, but in case such Tenant or Occupier shall not be known, or being known cannot be found, then by affixing Notice thereof upon the Door of the House or Premises intended to be valued, and the said Sheriff is hereby empowered to impannel, summon, and return such Number accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff 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 shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, (being qualified as last aforesaid,) to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel, Solicitors, and Agents, to attend and be heard and to adduce Evidence before the said Sheriff; and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array.

Jury not to award Compensation for Injury or Damage, without the Consent of Commis-

VIII. 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 Owners, Occupiers, or Person or Persons as aforesaid, by way of Compensation for any Injury or Damage alleged to have been sustained by them by reason or means of this Act, or any thing which shall or may be done in the Execution hereof, without the

sioners of Greenwich Hospital unless Notice of such Claim shall have been given.

Consent of the said Commissioners of *Greenwich* Hospital, or their Successors, previously had and obtained for that Purpose, to be signified by some Writing under their Hands or the Hand of their Secretary for the Time being, unless Notice in Writing, stating the Particulars of every such Claim, shall have been given, by and on behalf of such Owners or Occupiers, Person or Persons, to the said Commissioners or their Successors, within Two Calendar Months next after such supposed Loss shall have been incurred, or such supposed Damage or Injury shall have been occasioned or sustained, and Ten Days at least before the Time of the meeting of such Jury.

Penalty on Sheriff, Jury, &c. making default.

IX. And be it enacted, That if the Sheriff of the said County of *Kent* 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 be recovered in one of Her Majesty's Superior Courts of Record at *Westminster*; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned as a Witness shall not appear, or appearing shall refuse to be examined or to give Evidence, any Person so offending, having no reasonable Excuse, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; which several and respective Penalties shall and may be levied, by virtue of any Warrant under the Hand and Seal of any One of Her Majesty's Justices of the Peace for the said County of *Kent*, either by the Sheriff of the County, or by Endorsement on the Back of the Warrant by the said Sheriff, which Warrant shall be forwarded to the Sheriff acting for any other County or City in which the Party shall reside or shall have removed, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him or her the Overplus, after such Penalty, and the Charges of such Distress and Sale, shall be deducted; which Penalty shall be paid over to the Sheriff of the County of *Kent*, and be accounted for by him under the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend an Act for the more speedy Return of Fines, Penalties, and Forfeitures, and Recognizances estreated*, and shall be returned by the Justices imposing the same to the Court of Quarter Sessions, under the Provisions of an Act passed in the Third Year of His late Majesty King *George* the Fourth, intituled *An Act for the more speedy Return and levying of Fines, Penalties, and Forfeitures, and Recognizances estreated.*

4 G. 4. c. 37.

3 G. 4. c. 46.

By whom Expences shall be paid.

X. 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 Recompense, Compensation, or Satisfaction for the Estate, Right, Interest, or Property of any Owners or Occupiers, Person or Persons, in any such Houses, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Injury or Damage as aforesaid, than shall have been agreed to be given or offered, or the same Sum as may have been offered for the same,

same, by or on behalf of the said Commissioners of *Greenwich* Hospital or their Successors, before the summoning and returning of such Jury, or where by reason of Absence in Foreign Countries, or other Incapacity or Disability or Cause as aforesaid, there shall not be found any Person or Persons legally capacitated to enter into any Contract with the said Commissioners or their Successors, then and in every such Case all the reasonable Costs, Charges, and Expences of causing and procuring such Recompense, Compensation, or Satisfaction to be assessed by a Jury shall be settled by the Sheriff of the said County of *Kent*, and shall be paid by the said Commissioners or their Successors, and if not paid within Fourteen Days after the same shall have been taxed and demanded, then the same shall and may be recovered from the said Commissioners and their Successors by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*, together with full Costs of Suit; but if any Jury so summoned and sworn as aforesaid shall give a Verdict or Assessment for less Money as such Recompense, Compensation, or Satisfaction as aforesaid than shall have been agreed to or offered by the said Commissioners or their Successors for the same before the summoning and returning of the said Jury, or in case no Damages shall be given by the Verdict where the Dispute is for Damages only, or where the causing and procuring such Jury to be summoned shall have arisen from a Refusal to treat or agree with the said Commissioners or their Successors by any Owners or Occupiers, Person or Persons whomsoever, who is or are legally empowered to treat, then all such Costs, Charges, and Expences (to be settled by such Sheriff in manner aforesaid) shall be borne and paid in equal Moieties between and by the Owners or Occupiers, Person or Persons, respectively so claiming such Compensation, or refusing to treat and agree as before mentioned, and the said Commissioners and their Successors; and all Costs, Charges, and Expences hereby directed to be paid to the said Commissioners or their Successors shall and may be deducted and retained by them out of the Money so adjudged or assessed to be paid by them as so much Money advanced to and for the Use of the Owners or Occupiers, Person or Persons, entitled to such Money so adjudged or assessed, 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 adjudged or assessed to be paid by the said Commissioners or their Successors, 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 *Kent*, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay 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.

Minute of all Judgments to be deposited with the

XI. And be it enacted, That a Minute or Docquet of all the said Judgments and Verdicts shall be deposited with the Clerk of the Peace of the said County of *Kent*, to be kept and preserved by him amongst

Clerk of the Peace for the County.

amongst the Records of the Quarter Sessions of the same 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 such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy thereof the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Application of Compensation Money when exceeding 200*l.*, belonging to incapacitated Persons.

XII. And be it enacted, That if any Money shall be agreed or assessed to be paid for any of the said Houses, Buildings, Lands, Tenements, or Hereditaments mentioned and comprised in the Schedule to this Act annexed, 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 *Greenwich* Hospital;" to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Houses, Buildings, Lands, Tenements, and Hereditaments, in the Purchase of other Lands, Tenements, and Hereditaments, which shall be settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the said Houses, Buildings, Lands, Tenements, and Hereditaments which shall be so purchased or taken for the Purposes of this Act stood and were settled and 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 made thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement thereof was then actually made.

When less than 200*l.* and exceeding 20*l.*

XIII. Provided always, and be it enacted, That if any Money so agreed or assessed to be paid for any of the said Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased or taken for the Purposes of this Act, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid,

shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in case 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 so purchased or taken, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiotcy or Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the Accountant General of the said 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 Trustees, to be named by the Person or Persons making such Option, and approved of by the said Commissioners of *Greenwich* Hospital, or their Successors, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends to arise therefrom, or the Interest thereof, may be applied in manner herein-before directed, and so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When not exceeding 20*l.*

XIV. Provided always, and be it enacted, That where such Money so agreed or assessed to be paid as last before mentioned shall not exceed the Sum of Twenty Pounds, then and in every such Case the same shall belong absolutely and be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments, or Estate or Interest therein, so purchased or taken for the Purposes of this Act, for his, her, or their own Use and Benefit, or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Title, of Absence, or of Refusal to convey, the Money to be paid into the Bank.

XV. 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 or be assessed or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, to be purchased or taken for the Purposes of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners of *Greenwich* Hospital or their Successors, or shall refuse to execute a Conveyance or Conveyances thereof, or in case the Person or Persons to whom such Sum or Sums of Money shall be so assessed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Lands, Tenements, Buildings, or Hereditaments, Estate or Interest, be not known or cannot be discovered, or if the Title to the Money so agreed or awarded to be paid shall be in dispute, then and in every such Case it shall and may be lawful for the said Commissioners or their Successors to pay the said Sum or Sums of Money so agreed or assessed or awarded 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 Tenements or Hereditaments, or Estate or Interest, (describing such Tenements or Hereditaments,) but if such Party or Parties shall not be known, then to the Credit of the said Commissioners or their Successors, 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Payment or Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates and Interests 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.

In case of disputed Titles, Persons in possession to be deemed peremptorily entitled to the Money.

XVI. 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 said Court of Chancery, in pursuance of this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, to be purchased or taken for the Purposes of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in the Possession of such Houses, Buildings, Lands, Tenements, or Hereditaments, Estate or Interest, at the Time of such Purchase, and all Body or Bodies, Person or Persons, claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Houses, Buildings, Lands, Tenements, and Hereditaments, Estate or Interest, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the said 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 to appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments, or Estate or Interest therein.

Court of Chancery may order reasonable Expences of Purchases

XVII. And be it enacted, That where, by reason of the Disability or Incapacity of any Person or Corporation entitled to any Lands, Tenements, or Hereditaments to be taken under or by virtue of this Act, or from any other Cause whatsoever, the Purchase Money for such Lands, Tenements, or Hereditaments, or any Money to be paid

for

for or by way of Compensation or Satisfaction for any Injury or Damage done to the same, shall be required to be paid into the Bank of *England*, and be subject to the Orders and Directions of the Court of Chancery, under the Provisions herein contained, it shall be lawful for the said Court to order all the reasonable Costs, Charges, and Expences attending such Purchase, taking, or using of any Lands, Tenements, and Hereditaments, or which may be incurred in consequence thereof, and also of the Investment of the Purchase or Compensation Money paid in respect of such Lands, Tenements, and Hereditaments in Real or Government Securities, and likewise the Reinvestment of such Purchase or Compensation Money, or the Government or Real Securities purchased therewith, in the Purchase of Lands, Tenements, and Hereditaments, as herein-before mentioned, together with the Costs, Charges, and Expences of obtaining the proper Orders and of the other Proceedings for such Purposes, and of the Payment of the Dividends and Interest of the said Government or Real Securities, and of the Payment of the Principal of the said Purchase or Compensation Money, and of the Government or Real Securities purchased therewith, out of Court, to be paid by the said Commissioners, and the said Commissioners shall from Time to Time pay such Sums of Money for the said Costs, Charges, and Expences as the said Court shall direct.

and Costs to be paid by the said Commissioners.

XVIII. And be it enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as of the Purchaser, of all Conveyances and Assurances of any Lands and Hereditaments which shall be purchased or taken by the said Commissioners for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Commissioners may require to the said Lands and Hereditaments, and of all attested Copies which the said Commissioners may require of any Deeds, Evidences, or Writings relating thereto, and all Expences whatsoever incident to the Investigation, Deduction, or Verification of such Title, shall be exclusively borne and paid by the said Commissioners; and the said Commissioners, before entering into possession of the Lands and Hereditaments so purchased, shall pay the Amount of such Costs, Charges, and Expences, or in case there shall be any Dispute about the same shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party or Parties from whom the Lands and Hereditaments shall be purchased: Provided always, that the said Commissioners shall not be prevented from entering into possession of the Lands and Hereditaments so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Deposit herein mentioned not having been made, unless the Party or Parties from whom such Lands and Hereditaments shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to them by the said Commissioners, deliver a Bill of their said Costs, Charges, and Expences to the said Commissioners, with the Name of a Solicitor as their Referee for the Purposes herein-after mentioned; and if the said Commissioners and the Party or Parties aforesaid cannot agree as to the Amount of such Costs, Charges, and Expences, the said Commissioners shall name a Solicitor as

Expences of Titles to be paid by the said Commissioners.

as a Referee on their Part, and deposit the Amount of the Costs, Charges, and Expences claimed by such Party or Parties as aforesaid in the Hands of the said Two Referees, to answer the same; and such Costs, Charges, and Expences shall be settled and determined by the said Two Referees, or in case they should differ about the same, then by a Third Solicitor, as Umpire, to be named and appointed by such Two first Referees before they proceed on the Matter referred to them; and the Award and Determination of the said Two Referees or of the said Umpire, as the Case may be, shall be binding and conclusive, and shall be made within One Calendar Month from the Time of making such Deposit as is herein-before mentioned; and upon such Award and Determination being made the said Referees shall, by and out of the Money so deposited with them, pay to the Party or Parties from whom the said Lands and Hereditaments shall be so purchased as aforesaid the Amount of the Costs, Charges, and Expences which shall be so awarded and determined, and the Remainder of the said Money so deposited shall be returned to the said Commissioners: Provided also, that the Expence of determining such Costs, Charges, and Expences as aforesaid shall be paid and borne by the said Commissioners, unless One Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the Expence of determining the same shall be borne and paid by the said Sellers, and the Amount thereof may then be deducted by the said Commissioners from the Sum payable by them under the Award and Determination of the said Two Referees or of the said Umpire.

How such Costs are to be ascertained.

XIX. And be it enacted, That in case any Difference should arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act, as to the Amount or Value of the Damage done by the said Commissioners, their Agents or Workmen, to such Property, in the Execution of any of the Powers of this Act, and such Difference cannot be adjusted and settled between the Parties, the same shall, in case the Amount of Damages claimed does not exceed Fifty Pounds, be ascertained and determined by some Two or more Justices of the Peace for the County of *Kent*, and who, on 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; and in all Cases in which as by this Act any Matters are referred to the Decision of any Justices it shall be lawful for such Justices to 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.

How Price of Land to be ascertained in case of Difference.

XX. And be it enacted, That all Persons hereby capacitated to sell, and who may not agree with the said Commissioners as to the Price to be paid, may, if they shall think fit, agree with the said Commissioners to refer it to any Person or Persons to ascertain the Amount to be paid, and every such Agreement shall be in all respects binding and effectual.

XXI. And

Lands, &c. to vest in Commissioners after Payment or Tender of Purchase Money.

XXI. And be it enacted, That from and immediately after the actual Payment or Tender being made of the Money contracted or agreed or assessed or awarded to be paid as the Purchase Money or Compensation for any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, which shall be purchased or taken for the Purposes of this Act, either to the Body or Bodies, Person or Persons respectively entitled to receive such Money, or, where the Case shall so require or allow, into the Bank of *England* for the Purpose of being disposed of in the Manner in this Act directed concerning the same, all and every the Tenements and Hereditaments, and also all the Estates or Interests for or in respect whereof such Money shall have been so paid or tendered, shall absolutely vest in the said Commissioners of *Greenwich* Hospital and their Successors; and the said Commissioners and their Successors shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes, freed and discharged from all former and other Estates, Rights, Titles, and Interests, Claims and Demands, as fully and effectually as if every Body or Person having any Estate or Interest in the Premises had actually conveyed the same by Lease, or by any Conveyance, Deed, Act, or Assurance in the Law whatsoever; and such Payment or Tender shall not only bar all Right, Title, Interest, Claim, or Demand of the Body or Bodies, Person or Persons, or unknown Person or Persons, of, in, or to the same Premises to whom or to whose Credit or for whose Benefit such Payment or Tender shall have been made, but also shall extend to and be deemed and construed to bar the Dower or 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 and Persons, and every other Person whomsoever: Provided nevertheless, that before such Payment or Tender it shall not be lawful for the said Commissioners of *Greenwich* Hospital, or their Successors, or any Person or Persons authorized by them, to take possession of any of the said Houses, Buildings, Lands, Tenements, or Hereditaments comprised in or affected by such Agreement or Verdict respectively, or to enter upon or use the same for any of the Purposes of this Act.

Determination of Differences as to Consideration for Release of Hereditaments from Charges.

XXII. And with respect to any Houses, Buildings, Lands, Tenements, or Hereditaments, Lands which shall be charged with any Rent Service, Rent-charge, or chief or other Rent, or other Payment or Incumbrance, be it enacted, That if any Difference shall arise between the said Commissioners and the Party entitled to any such Charge respecting the Consideration to be paid for the Release of such Hereditaments therefrom, or from the Portion thereof affecting the Hereditaments required for the Purposes of this Act, the same shall be determined as in other Cases of disputed Compensation.

When Part only of Hereditaments so charged are required, the Apportionment of

XXIII. And be it enacted, That if Part only of the Hereditaments charged with any such Rent Service, Rent-charge, chief or other Rent, Payment or Incumbrance, be required to be taken for the Purposes of this Act, the Apportionment of any such Charge may be settled by Agreement between the Party entitled to such Charge and

Charge may be settled by Agreement.

and the Owner of the Hereditaments on the one Part, and the said Commissioners on the other Part; and if such Apportionment be not so settled by Agreement, the same shall be settled by Two Justices; but if the remaining Part of the Hereditaments so jointly subject be a sufficient Security for such Charge, then, with Consent of the Owner of the Hereditaments so jointly subject, such Owner not being under legal Disability or Incapacity, the Party entitled to such Charge may release therefrom the Hereditaments required, on condition or in consideration of such other Hereditaments remaining exclusively subject to the whole thereof.

Where Part of Hereditaments taken, remaining Portion to be subject to whole of Charge.

XXIV. And be it enacted, That if any such Hereditaments be so released from any such Charge or Incumbrance, or Portion thereof, to which they were subject jointly with other Hereditaments, such last-mentioned Hereditaments shall alone be charged with the whole of such Charge, or with the Remainder thereof, (as the Case may be,) and the Party entitled to the Charge shall have all the same Rights and Remedies over such last-mentioned Hereditaments, for the whole or for the Remainder of the Charge (as the Case may be), as he had previously over the whole of the Hereditaments subject to such Charge; and if upon any such Charge or Portion of Charge being so released the Deed or Instrument creating or transferring such Charge be tendered to the said Commissioners for the Purpose, they shall affix their Corporation Seal to a Memorandum of such Release, endorsed on such Deed or Instrument, declaring what Part of the Hereditaments originally subject to such Charge shall have been purchased by virtue of this Act, and if the Hereditaments be released from Part of such Charge, what Proportion of such Charge shall have been released, and how much thereof continues payable, or if the Hereditaments so required shall have been released from the whole of such Charge, then that the remaining Hereditaments are thenceforward to remain exclusively charged therewith; and such Memorandum shall be Evidence in all Courts and elsewhere of the Facts therein stated, but not so as to exclude any other Evidence of the same Facts.

As to Apportionment of Rent of Hereditaments where Part only required for Purposes of the Act.

XXV. And with respect to any Houses, Buildings, Lands, Tenements, and Hereditaments which shall be comprised in a Lease for a Term of Years unexpired, Part only of which Lands shall be required for the Purposes of this Act, be it enacted, That the Rent payable in respect of the Lands comprised in such Lease shall be apportioned between the Lands so required and the Residue of such Lands; and such Apportionment may be settled by Agreement between the Lessor and Lessee of such Lands on the one Part, and the said Commissioners on the other Part; and if such Apportionment be not so settled by Agreement between the Parties, such Apportionment shall be settled by Two Justices; and after such Apportionment the Lessee of such Lands shall, as to all future accruing Rent, be liable only to so much of the Rent as shall be so apportioned in respect of the Lands not required for the Purposes of this Act; and the Lessor shall have all the same Rights and Remedies for the Recovery of such Rent as previously to such Apportionment he had for the Recovery of the whole Rent reserved by such Lease; and all the Covenants,

Covenants, Conditions, and Agreements of such Lease, except as to the Amount of Rent to be paid, shall remain in force with regard to that Part of the Land which shall not be required for the Purposes of this Act, in the same Manner as they would have done in case such Part of the Land had been included in the Lease.

Compensation to Leaseholders.

XXVI. And be it enacted, That every such Lessee as last aforesaid shall be entitled to receive from the Commissioners Compensation for the Damage done to him in his Tenancy by reason of the Severance of the Lands required from those not required, or otherwise by reason of the Execution of any such Works.

Compensation to yearly Tenants.

XXVII. And with respect to any Houses, Buildings, Lands, Tenements, or Hereditaments in the Possession of any Person having no greater Interest therein than as Tenant for a Year or from Year to Year, be it enacted, That if any such Person be required to give up Possession of any Lands so occupied by him before the Expiration of his Term or Interest therein, he shall be entitled to Compensation for the Value of his unexpired Term or Interest in such Lands, or if a Part only of such Lands be required, Compensation for the Damage done to him in his Tenancy by the Severance of the Lands required from those not required; and the Amount of such Compensation shall be determined by Two Justices in case the Parties differ about the same.

Parties claiming Satisfaction in respect of unexpired Terms to produce Leases.

XXVIII. And be it enacted, That in all Cases where any Party shall claim any Satisfaction or Compensation for or in respect of any unexpired Term, Estate, or Interest in any Houses, Lands, Tenements, or Hereditaments which shall be purchased or taken for the Purposes of this Act under or by virtue of any Demise, Lease, or other Grant thereof, the said Commissioners of *Greenwich* Hospital and their Successors shall and they are hereby authorized to require such Party to produce and show the Lease, Demise, or Grant in respect of which such Claim to Satisfaction or Compensation shall be made; and if such Lease, Demise, or Grant shall not be produced and shown, the Party claiming under the same shall be considered as holding only from Year to Year, unless it can be satisfactorily shown that such Lease is lost or mislaid, or beyond the Control of the Party claiming as aforesaid, in which Case reasonable Proof of the Nature of the Term or Interest shall be adduced.

Incumbrancer, on Tender of Amount due, immediately to assign Interests to Commissioners.

XXIX. And be it enacted, That every Incumbrancer, whether Mortgagee, Judgment Creditor, or other Party having any Security or Charge whatsoever on any Houses, Buildings, Lands, Tenements, or Hereditaments, the whole or any Part of which shall be purchased or taken for the Purposes of this Act, shall, on Tender of the Principal and Interest due thereon, together with the Amount (in case of a Mortgage, but not otherwise) of Six Calendar Months Interest on the said Principal Money, by the said Commissioners of *Greenwich* Hospital or their Successors, or by such Person or Persons as they shall appoint, immediately convey, assign, release, and transfer such Mortgage or other Security or Charge to the said Commissioners or their Successors, or to such Person or Persons as they shall appoint; or

or in case such Incumbrancer as aforesaid (being a Mortgagee) shall have Notice in Writing from the said Commissioners of *Greenwich* Hospital or their Successors, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on such Mortgage at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, then at the End of Six Calendar Months, on Payment of the Principal and Interest so due, such Incumbrancer (being a Mortgagee) shall convey, assign, release, and transfer his or her Interest in the Premises to the said Commissioners or their Successors, or such Person or Persons as they shall appoint; and in case such Incumbrancer (of whatever Description) shall refuse to convey, assign, release, and transfer as aforesaid, on such Tender or Payment, then all Interest on every such Mortgage or other Security or Charge shall from thenceforth cease and determine: Provided always, that in case the Sum due or payable for Principal and Interest upon any such Mortgage or other Security or Charge shall amount to more than the real Value of the said Premises to be purchased or taken for the Purposes of this Act, such Value to be ascertained by the Verdict of a Jury in manner herein-before directed, then the said Commissioners of *Greenwich* Hospital or their Successors shall not be liable to pay to such Incumbrancer more than the real Value of such Premises, to be ascertained as aforesaid, or the Residue thereof, after such Allowance and Payment thereout to any Lessee or other Party in possession as herein-before directed; and such Incumbrancer may thereupon accept such ascertained Value, and convey, assign, release, and transfer such Premises, without the Consent of the Mortgagor, or other the Party entitled, either at Law or in Equity, to the Premises subject to such Mortgage or other Security or Charge: Provided also, that in case any such Incumbrancer shall refuse or neglect to convey, assign, release, or transfer as aforesaid, then upon Payment of the Principal Money and Interest due or payable on any such Mortgage or other Security or Charge as aforesaid into the Bank of *England* for the Use of such Incumbrancer, in the Manner herein-before mentioned, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid (in case of a Mortgage), or at any Time (in case of any other Security or Charge), the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money in like Manner as herein-before directed in case of other Payments into the said Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand whatsoever of such Incumbrancer, and of all and every Person or Persons in trust for him or her, shall vest in the said Commissioners of *Greenwich* Hospital or their Successors, and they shall (in case of a Mortgage) be deemed to be in the actual Possession of the Premises comprised in such Mortgage, or of the Part thereof so purchased or taken as aforesaid, to all Intents and Purposes whatsoever: Provided also, that if the Sum due for Principal and Interest in respect of any Mortgage or other Security or Charge of or on any Houses, Lands, Tenements, and Hereditaments, the whole or any Part of which shall be purchased or taken for the Purposes of this Act, shall amount to more than the Value of the Premises charged therewith, or the Part thereof so purchased or taken as

aforesaid, such Incumbrancer shall, upon Payment or Tender of the Sum to be ascertained as the Value of the Houses, Buildings, Lands, Tenements, and Hereditaments, or Part thereof, to be purchased or taken as aforesaid, forthwith convey, assign, release, and transfer his or her Interest or Claim in or upon such Houses, Buildings, Lands, Tenements, and Hereditaments, or such Part thereof, to the said Commissioners of *Greenwich* Hospital or their Successors, or to such Person or Persons as they shall appoint, and in default of so doing, and on Payment of such Money into the Bank of *England* for the Use of such Incumbrancer, the Cashier or Cashiers of the Bank shall give such Receipt or Receipts as aforesaid; and thereupon all the Estate, Right, Title, Interest, Property, Claim, and Demand of such Incumbrancer, and all and every Person or Persons in trust for him or her in the said Houses, Buildings, Lands, Tenements, and Hereditaments, or Part thereof, the Value whereof shall have been so ascertained and paid into the Bank as aforesaid, shall vest in the said Commissioners and their Successors, and they shall be deemed to be in the actual Possession of the said Premises to all Intents and Purposes whatsoever; and such Sums of Money shall be deducted from the Amount of the Principal and Interest due to such Incumbrancer by virtue of such Mortgage, Security, or Charge: Provided always nevertheless, that, notwithstanding any thing hereinbefore contained, every such Incumbrancer as aforesaid, the whole of whose Principal Money and Interest due or payable as aforesaid shall not be paid or tendered in full, shall in any of the Cases aforesaid have, retain, and be entitled to such and the same Powers, Remedies, and Means for recovering and compelling Payment of the Principal Money, or the Residue thereof, as the Case may be, and the Interest thereof respectively upon and out of the Residue of the Hereditaments not required for the Purposes aforesaid, as he would otherwise have had or been entitled to for recovering or compelling Payment thereof upon or out of the whole of the Hereditaments originally comprised in such Mortgage or other Security or Charge, and also shall have and retain all his Rights and Remedies in respect of such Principal Money, or the Residue thereof, (as the Case may be,) and the Interest thereof respectively, against any Person or Persons whomsoever in respect of any personal, collateral or other Security whatsoever.

In case Mortgage Money amount to more than the Value of the Premises, the Mortgagors, on Payment of Value of Hereditaments, to assign their Interest to Commissioners.

XXX. And be it enacted, That if the Sum due for Principal and Interest in respect of any Mortgage or other Security or Charge of or on any Houses, Buildings, Lands, Tenements, and Hereditaments, the whole or Part whereof shall be purchased or taken for the Purposes of this Act, shall amount to more than the Value of the Premises charged therewith, or of such Part or Parts thereof as shall be purchased or taken as aforesaid, the Mortgagor or Mortgagors, or other the Person or Persons entitled either at Law or in Equity, subject to such Mortgage or other Security or Charge, shall, upon Payment or Tender of the Sum to be awarded or assessed as the Value of the Houses, Buildings, Lands, Tenements, and Hereditaments, or Part thereof, to be so purchased or taken as aforesaid, to such Mortgagee or Party, or into the Bank as aforesaid, forthwith, without any Consideration, convey, assign, and release his or her Right,

Right, Equity of Redemption, Estate, or other Interest whatsoever in such Houses, Buildings, Lands, Tenements, and Hereditaments, or Part thereof, to the said Commissioners of *Greenwich* Hospital or their Successors, or to such Person or Persons as they shall appoint, and in default of so doing shall be thenceforth barred and foreclosed from all Right, Equity of Redemption, Estate, and Interest whatsoever of and in the same Premises; and all the Estate, Right, Title, Interest, Property, Claim, and Demand of such Mortgagor or Party, and of every Person or Persons in trust for him or her in the said Premises, shall vest in the said Commissioners and their Successors, and they shall be deemed to be in the actual Possession thereof to all Intents and Purposes whatsoever.

Powers given to Commissioners to apply to Purchases already made as well as to Purchases to be made.

XXXI. And be it enacted, That the Powers and Authorities by this Act given to the said Commissioners of *Greenwich* Hospital and their Successors for the Purchase of the Houses, Buildings, Lands, Tenements, and Hereditaments mentioned and comprised in the said Schedule to this Act annexed shall apply as well to any Purchases already made or agreed to be made as to such as shall hereafter be made under the Provisions of this Act.

Power to arch over Drains, &c.

XXXII. And be it enacted, That it shall be lawful for the said Commissioners of *Greenwich* Hospital and their Successors, and they are hereby authorized and empowered, in forming the said Street, and making the Alterations and Improvements, to cause to be arched over or filled up any Sewer or Drain, or Part or Parts thereof, which shall lie and be in or near the said Street, so as that no public Sewer or Drain whatsoever, or any private Drain, shall be in anywise disturbed, injured, or prejudiced, without another Drain or Sewer being made in lieu thereof equally serviceable and convenient to the Individual or Neighbourhood: Provided always, that at the Time of filling up any Sewer or Drain, or Part thereof, the said Commissioners of *Greenwich* Hospital, or their Successors, shall cause to be made and built other good and sufficient Sewers and Drains of the same or greater Size or Capacity, and upon the same or lower Levels than the Sewers or Drains which shall be filled up: Provided also, that if at any Time the said Commissioners of *Greenwich* Hospital shall alter or remove any Sewer, Drain, Bank, or other Work at present within the Jurisdiction of the Commissioners of Sewers for the Limits extending from the Head of the River *Ravensbourne* to *Lombards Wall* in the County of *Kent*, and to build any other in lieu thereof, such Alteration, Removal, or rebuilding shall be done under the Superintendence and to the Satisfaction of the said Commissioners of Sewers or their Surveyor for the Time being, at the Cost, nevertheless, of the said Commissioners of *Greenwich* Hospital.

Power to stop up certain Roads.

XXXIII. And be it enacted, That it shall be lawful for the said Commissioners of *Greenwich* Hospital and their Successors to take and stop up the several Roads or Ways called or known respectively as "*Friar's Road*," situate in the Parish of *Greenwich* in the County of *Kent*, commencing on the North Side of a certain Road or Highway called "*Romney Road*," and proceeding Northwards to a certain Place called "the *Ship Dock*," and which said Road or Way so proposed to

be taken and stopped up is in Length Five hundred and seventy-one Feet or thereabouts, and in Breadth Forty Feet or thereabouts; also another Road or Way commencing on the East Side of *King William Street* in *Greenwich* aforesaid, and proceeding thence Eastward up to the West Side of *Friar's Road* aforesaid, and which said lastly-described Road or Way is in Length Three hundred and twenty-nine Feet or thereabouts, and in Breadth Forty-five Feet or thereabouts; and also Part of another Road, Highway, or Place called "the *Ship Dock*," in the Parish of *Greenwich* aforesaid, commencing at the North End of the said Road or Highway called "*Friar's Road*," and proceeding Northwards One hundred and six Feet, and being in Breadth at the South End thereof Ninety-three Feet or thereabouts, and at the North End thereof Sixty-three Feet or thereabouts; also so much of another Road or Highway called "*Stable Yard Street*" as lies between the East Side of *King William Street* and the West Side of the said Street or Highway called "the *Ship Dock*," and which said last-mentioned Street is in Length Two hundred and fifty Feet or thereabouts, and in Breadth at the West End thereof Twenty-seven Feet or thereabouts, and at the East End thereof Twenty-four Feet or thereabouts; and also a Court or Passage called or known as "*Whitehorse Alley*," commencing on the North Side of *Stable Yard Street*, and ending on the South Side of *Fisher Lane*, and which said Court or Passage is in Length One hundred and twenty-four Feet or thereabouts, and in Breadth Five Feet Six Inches or thereabouts; all which said Roads, Ways, Street, and Passage are in the said Parish of *Greenwich* in the County of *Kent;* and the said Roads, Ways, Street, and Passage shall henceforth for ever hereafter cease to be Ways, Street, or Passage, and the Soil and Freehold thereof shall be henceforth vested in the said Commissioners of *Greenwich* Hospital and their Successors, freed and discharged from all private Right of passing and repassing along the same.

After Formation of new Street, same to be a public Highway.

XXXIV. Provided always, and be it enacted, That after the said *Fisher Lane* shall be formed and completed to an average Width of Fifty Feet, such new Street shall be and thenceforth for ever thereafter shall continue and remain a public Highway to all Intents and Purposes, and be subject to the like Restrictions, Provisions, Powers, Liberties, Privileges, Matters, and Things, both parliamentary and parochial, as any other of the existing Highways within the Parish of *Greenwich*, not being Turnpike Road, is or are now subject.

Roads and Ways not to be stopped up till Fisher Lane widened.

XXXV. And be it enacted, That it shall not be lawful for the Commissioners of *Greenwich* Hospital to stop up the Roads and Ways herein-before described until after the said Commissioners shall have caused the said Street or Lane called "*Fisher Lane*" to be widened in the Manner by this Act provided.

Passage between Ship Dock and Ship Tavern to be opened before said

XXXVI. And be it enacted, That the public Passage at present existing and covered over between the Waterway of the *Ship Dock* and the Eastern Wall of the present House called the *Ship Tavern*, being of the Width of about Five Feet Ten Inches, shall, before the said Roads and Ways are stopped up, be thrown open, so far as the

Roads, &c. are stopped up.

the said Commissioners of *Greenwich* Hospital have Power over the same.

Power of Commissioners to lease Mines, &c. for 21 Years authorized by 10 G. 4. c. 25. extended to leasing them for 42 Years, subject to the Provisions in the said Act.

XXXVII. And whereas by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better Management of the Affairs of* Greenwich *Hospital*, the Commissioners of *Greenwich* Hospital and their Successors are authorized from Time to Time and at all Times thereafter, in such Manner as they shall deem expedient, with the Approval and Consent of the Lord High Admiral or the Commissioners for executing the Office of Lord High Admiral for the Time being, to grant, demise, and lease all and every or any of the Mines of Lead, Ironstone, and Coal, and other Minerals and Quarries within, under, and upon any of the Lands or Estates for the Time being vested in or belonging to the Commissioners of *Greenwich* Hospital and their Successors, and also any Part or Parts of the said Lands and Hereditaments which may be thought expedient or proper to be let therewith for the better or more effectually working the same, unto any Person or Persons for any Term or Number of Years, not exceeding Twenty-one Years, and subject to the Restrictions and Provisions in the said Act in that Behalf mentioned: And whereas it is expedient that the said Commissioners should, with such Approval and Consent as aforesaid, have Power to grant such Leases for any Term not exceeding Forty-two Years; be it enacted, That it shall be lawful for the said Commissioners of *Greenwich* Hospital and their Successors, with the Approval and Consent of the Lord High Admiral or Commissioners for executing the Office of Lord High Admiral for the Time being, to grant, demise, and lease for the Term of Forty-two Years, all Mines, Minerals, and Quarries, and Lands and Hereditaments expedient or proper to be let therewith, as by the said Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth the said Commissioners and their Successors are authorized to grant, demise, and lease for the Term of Twenty-one Years, but subject nevertheless to the Restrictions and Provisions in the said Act in that Behalf contained.

Public Act.

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

The

The SCHEDULE to which this Act refers.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
A House and Premises known as the "Crown and Anchor" Public House in the Ship Dock.	Thomas Fry and George Fry.	Thomas Muddell -	Thomas Muddell.
A House and Premises known as "The Chest" Public House in the Ship Dock.	Isaac Walker and Edwin Walker as to Two Thirds, Willoughby Richard Crofts as to Two Fourths of a Third, John James Harris, Executor under the Will of Eleanor Charles, as to One Fourth of a Third, and Robert Howard and Mary Ann his Wife as to One other Fourth of a Third.	Isaac Walker and Edwin Walker as to One Third, and James Pratt and Samuel Pratt and James Talbot as to the whole.	James Talbot.
A House and Premises known as the "Red Lion" Public House in the Ship Dock.	Ditto - -	Isaac Walker and Edwin Walker as to One Third.	James Jeffrey.
A House and Premises at the East Corner of the South Side of Fisher Lane.	Ditto - -	Isaac Walker and Edwin Walker as to One Third, and George Slaney and Mary Barrett as to the whole.	James Jordan.
A House on the South Side of Fisher Lane.	Sarah Emma Leaver	- - -	Sarah Berry, —— Bolsom, and Henry Wicks, as weekly Tenants.
Another ditto - ditto -	Ditto - -	- - -	William Owen, as weekly Tenant.
A House situate in a Court behind the Two last-mentioned Houses.	Ditto - -	- - -	Mrs. Sarah Dowd, Jemima Martin, and Richard Courtenay, as weekly Tenants.
Another ditto - ditto -	Ditto - -	- - -	John Hodges, Joseph Acton, and Henry Bond, as weekly Tenants.
Another ditto - ditto -	Ditto - -	- - -	Mrs. Bligh, as weekly Tenant.
Another ditto - ditto -	Ditto - -	- - -	—— Lilley, as weekly Tenant.
Another ditto - ditto -	Ditto - -	- - -	William Smith, Edward Burn, and James Fleming, as weekly Tenants.
Out-buildings, Yard, and Passage used in common by the Tenants of the Seven preceding Houses.	Ditto.	——	——

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
A House and Premises on the North Side of Fisher Lane.	Sarah Emma Leaver	- - -	Robert Ripp, as weekly Tenant.
Another ditto - ditto -	Ditto - -	- - -	John Doo - } yearly
Another ditto - ditto -	Ditto - -	- - -	John Amatrich } Tenants.
A House and Premises known as "The Lord Ligonier's Head" Public House on the North Side of Fisher Lane.	Richard R. Roberts -	Edward Thomas Phillips.	Edward Thomas Phillips.
A House and Premises on the North Side of Fisher Lane.	Sir Richard Dobson, Knight, and John Sutton, Esquire.	- - -	James Allen.
Another ditto - ditto -	Ditto - -	- - -	Sarah Pilgrim.
A Piece of Land at the Rear of the Houses on the North Side of Fisher Lane.	The Greenwich Pier Company.	- - -	The Greenwich Pier Company.
Another Piece of Land on which the Colonnade of the Greenwich Pier stands.	Ditto - -	- - -	Ditto.

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