

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

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CAP. LXV.

An Act to enable the Commissioners for executing the Office of Lord High Admiral of the United Kingdom to acquire certain Lands at *Woolwich* in the County of *Kent*, for better securing His Majesty's Docks there, and for the Improvement of the same. [28th *August* 1833.]

WHEREAS a certain Wharf situate on the Southern Shore of the River *Thames* at *Woolwich* in the County of *Kent*, to the Westward of His Majesty's Dockyard there, called *Trinity Wharf* otherwise *Hardin's Wharf*, and also a certain other Wharf situate to the Westward thereof, and near or adjoining thereto, called *Long's Wharf*, do, by projecting into the River, impede the Current of the Water, and, by producing Eddies and otherwise, form an increasing Bank of Mud on the Shore, to the great Obstruction of His Majesty's Ships and Vessels having Occasion to lay near to or to enter the Docks and Basin of the said Dockyard, and it is necessary and expedient that such Obstructions should be abated and removed: And whereas, with a view to the Attainment of that End, the Commissioners for executing the Office of Lord High Admiral of the United Kingdom have recently purchased, in Trust for the King's most Excellent Majesty, His Heirs and Successors, for the Public Service, the aforesaid Wharf called *Trinity Wharf* otherwise *Hardin's Wharf*, with the Buildings thereon, and the Slips for laying Ships and Vessels on

 each

each Side of the same Wharf, together with other Lands, Tenements, and Hereditaments, for the Residue of a certain Term of Ninety-nine Years from the Twelfth Day of *February* One thousand eight hundred and ten, granted therein by *John Bowater* Esquire (since deceased), by an Indenture of Demise, bearing Date the Twenty-first Day of *February* One thousand eight hundred and ten, at the yearly Rent of One hundred and eighty-six Pounds: And whereas, for further and more fully and effectually enabling the said Commissioners to abate and remove the Obstructions aforesaid, and also for the Improvement of the said Dockyard, and for the permanent Use and Convenience of His Majesty's Naval Service, it is necessary that the Freehold and Inheritance expectant on the Determination of the said Term of Ninety-nine Years, of and in the said last-mentioned Wharf and Slips, and also the immediate Possession of Part of the said Wharf called *Long's Wharf*, and the Inheritance thereof in Fee Simple, should be acquired for the Public Service from the respective Owners of the same, and that the said yearly Rent of One hundred and eighty-six Pounds, or an appropriate Part thereof, should be extinguished; but as Difficulties and Delays in attaining these Objects have arisen and may arise in respect of the Title of Parties claiming Interests in the said Wharfs and Premises, and from various other Causes, so that a Remedy for such Public Inconvenience and Obstruction cannot be effected, nor the Purposes aforesaid accomplished, without the Aid and Authority of Parliament; be it therefore enacted by the King'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 Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being shall be and they are hereby appointed Commissioners for carrying the Purposes of this Act into execution, and all Acts, Matters, and Things authorized or necessary to be done or executed by the said Commissioners in pursuance of this Act may be done and executed by any Two of them, and the same shall be as valid and effectual as if done and executed by all the said Commissioners.

Appointment of Commissioners.

Quorum.

Trinity Wharf and Part of Long's Wharf at Woolwich vested in the Commissioners,

II. And be it further enacted, That all that and those the said Wharf now commonly called or known by the Name or Names of *Trinity Wharf* otherwise *Hardin's Wharf*, and the Slips on each Side thereof, as the same Premises are described in and demised by the said Indenture of the Twenty-first Day of *February* One thousand eight hundred and ten, together with the Erections and Buildings now being thereon, and the Rights, Members, and Appurtenances to the same Premises belonging, from and after the Expiration or other sooner Determination of the said Term of Ninety-nine Years, and subject and without Prejudice to the same Term and the aforesaid Indenture respectively, and also all that Piece or Parcel of Land or Ground, being such Part of the said other Wharf called *Long's Wharf* as is or lies to the North of a straight Line to be drawn through the same Wharf called *Long's Wharf* in continuation of and in the same Direction as the Line formed by the River Wall which is now the Boundary next the River *Thames* of the said Dockyard at the

Western End thereof, such Part of the same Wharf containing by Admeasurement Two hundred and fifty-three square Yards, be the same more or less, together with all Erections and Buildings thereon, and the Rights, Members, and Appurtenances to the same Piece or Parcel of Land or Ground and Premises belonging, from and immediately after the passing of this Act, shall be and the same are hereby vested in the Commissioners for executing the Office of Lord High Admiral aforesaid, and their Successors the Lord High Admiral or Commissioners for executing the said Office of Lord High Admiral for the Time being, nevertheless to, for, and upon the several Uses, Trusts, Intents, and Purposes herein-after enacted and declared of and concerning the same respectively; that is to say, as to the said Wharf and Hereditaments herein-before firstly described and vested, it is hereby declared and enacted, that the same shall be and the same are hereby so vested in the said Commissioners upon Trust for such Person or Persons as at or immediately before the Time of making this Act was or were the lawful Owner or the several and respective lawful Owners thereof, or had any lawful Estates, Rights, or Interests therein, according to their said several Estates, Rights, and Interests in Possession, Reversion, Remainder, or otherwise, until the Purchase Money or Purchase Monies for the same, which shall be agreed upon or assessed as herein-after mentioned as the true Value thereof, shall be paid; and from and after the Time of such Payment as aforesaid, then, as to such Part of the same Wharf and Hereditaments as is or lies to the Southward of a straight Line to be drawn as herein-before mentioned, to the Use of the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and their Successors in Office, in Fee Simple, in Trust nevertheless for His Majesty, His Heirs and Successors, for the Public Service, to the Intent that the same may thenceforth remain vested in the same Manner as Lands and Hereditaments purchased for the Naval Service are vested by virtue of Two several Acts of Parliament respectively passed in the First and Second Year of the Reign of His late Majesty King *George* the Fourth, and in the Second Year of the Reign of His present Majesty, intituled respectively *An Act for vesting all Estates and Property occupied by or for the Naval Service of this Kingdom in the principal Officers and Commissioners of His Majesty's Navy, and for granting certain Powers to the said principal Officers and Commissioners*, and *An Act to amend the Laws relating to the Civil Departments of the Navy, and to make other Regulations for more effectually carrying on the Duties of the said Departments*, and to be held and disposed of under the Provisions and Regulations of the same Acts; and as to the remaining Part of the same Wharf and Hereditaments, being the projecting Part thereof which is or lies to the Northward of the straight Line to be drawn as aforesaid, until the Demolition and Removal thereof as herein-after mentioned, to and upon the same Use, Trusts, and Intent as are herein-before lastly enacted and declared concerning the other Part of the same Wharf and Hereditaments; and from and after such Demolition and Removal as aforesaid, to the Use and Intent that the Site thereof, for ever freed and discharged from the said yearly Rent of One hundred and eighty-six Pounds, and every Part of the same, shall thenceforth be and be deemed a Part

upon Trust, as to Trinity Wharf, for the Owners, &c. until Payment of Purchase Money;

and afterwards, as to such Part as lies to the South of a certain straight Line, to be held in Trust for His Majesty for the Public Service.

1 & 2 G. 4. c. 93.

2 W. 4. c. 40.

and as to the projecting Part, to be held in like Manner, until demolished;

and when demolished, the Site to be laid into and form Part of the River Thames;

Part of the River *Thames*, and be laid open and subject to the Flow and Reflow of the Tide, and become common to His Majesty and all His Majesty's Subjects to pass and repass upon and over the same, and shall be under, subject, and liable to the same Jurisdictions, Rights, Powers, Authorities, and Privileges of Control, Superintendence, and Conservancy as the adjacent Parts of the said River and of the Shores thereof are or may be by Law subject and liable to;

and as to Long's Wharf, for the Owners, &c. until Possession taken and Payment of Purchase Money and Interest;

and as to the said Piece or Parcel of Land or Ground and Hereditaments (Part of the said Wharf called *Long's Wharf*) herein-before secondly described, and vested upon Trust for such Person or Persons as at or immediately before the Time of making this Act was or were the lawful Owner, or the several and respective lawful Owners thereof, or had any lawful Estates, Rights, or Interests therein, according to their said several Estates, Rights, and Interests in Possession, Reversion, Remainder, or otherwise, until Possession of the same Land and Hereditaments shall be taken as herein-after mentioned by the said Commissioners hereby appointed, and the Purchase Money or Purchase Monies for the same, together with Interest from the Time of taking Possession after the Rate of Five Pounds *per Centum per Annum* for the Sum or Sums that shall be agreed upon or assessed as herein-after mentioned as the true Value thereof, shall be paid; and from and after the Time of such Possession taken and Payment as aforesaid, then, until the Demolition and Removal thereof as herein-after mentioned, to the Use of the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, and their Successors in Office, in Trust for His Majesty, His Heirs and Successors, for the Public Service, as other Lands purchased for the Use of the Naval Department are vested under the Provisions of the before-mentioned Acts of Parliament;

and afterwards, until demolished, to be held in Trust for His Majesty for the Public Service;

and from and after such Demolition and Removal as last aforesaid, then and from thenceforth to the same Use and Intent as are herein-before enacted and declared concerning the Site of such Part of the said Wharf and Hereditaments herein-before firstly described and vested as is or lies to the Northward of the straight Line to be drawn as aforesaid, from and after such Demolition and Removal thereof, as in the same Enactment is mentioned or referred to.

and when demolished, to the same Use as the Site herein-before described.

Compensation to be made out of the next Aids.

III. And be it further enacted, That such Compensation and Satisfaction as shall be agreed upon or shall be assessed and awarded as herein-after mentioned, for or in respect of the Lands and Hereditaments hereby vested, or any Estate or Interest therein, shall be made out of the next Aids to be granted by Parliament.

Power to take Possession of so much of the Lands hereby vested as is not in the Possession of the Commissioners, and to demolish certain Parts of the same.

IV. And be it further enacted, That it shall be lawful for the said Commissioners, and their Engineers and other Officers, Workmen, and Servants acting under their Authority, or any of them, from and immediately after the passing of this Act, to enter into and upon and take complete and entire Possession of such Part or Parts of the Lands and Hereditaments hereby vested as shall not then be in the Possession of the said Commissioners; and it shall also be lawful for the same Parties, or any of them, and they are hereby authorized and empowered (notwithstanding no Purchase Monies for the Lands and Hereditaments hereby vested, or any Part thereof, shall then have

have been agreed upon, or assessed or paid,) to pull down and entirely demolish and remove so much of the said Wharf called *Trinity Wharf* otherwise *Hardin's Wharf*, and the Buildings thereon, hereby vested as aforesaid, as lies to the Northward of the straight Line herein-before mentioned, and also so much of the said Wharf called *Long's Wharf* as is herein-before particularly described and hereby vested as aforesaid, so as to render the Line of the Remainder of the said Wharfs next the Shore of the said River straight and even with that formed by the River Wall of His Majesty's said Dockyard at the Western End thereof; and thereupon they the said Commissioners shall with all convenient Speed, at the Costs and Charges of His Majesty, His Heirs and Successors, build and construct in the aforesaid straight Line along the Remainder of the said Wharf called *Long's Wharf*, and along so much, if any, of the Remainder of the said Wharf called *Trinity Wharf* otherwise *Hardin's Wharf* whereof the Freehold and Inheritance may not be purchased for the Purposes of this Act, a Frontage Wall towards the River, equal in Substance and Quality to the present Frontage thereof respectively, so as to render such Remainder of the same Wharfs fit and serviceable to be used for the Purposes for which such Wharfs respectively now are or lawfully may be used, and to complete the same, and shall at the like Costs and Charges fill in and make good the Ground and Soil up to the said Frontage Walls so to be made as aforesaid, such Wall nevertheless to extend Westward only to the Western End of the said Wharf called *Long's Wharf*, unless the said Commissioners shall think fit further to extend the same; and it shall be lawful for the said Commissioners, if they shall so think fit, at the like Costs and Charges as aforesaid, to build and construct in the aforesaid straight Line along the Space between the Remainder of the said Wharf called *Long's Wharf* and the Remainder of the said Wharf called *Trinity Wharf* otherwise *Hardin's Wharf*, or along any Part of the said Space, a Frontage Wall towards the River, of such Substance and Quality as they shall think proper, and to fill in and make good the Ground and Soil at the Back thereof to the Level of the adjacent Ground: Provided always, that in constructing the said Frontage Wall or Walls it shall be lawful for the said Commissioners, in case they shall deem it expedient so to do, to deviate Southwards in such Manner and to such Extent as they may think proper from the straight Line herein-before specified for the same, with the Consent of the Owners of and Parties interested in the Lands and Hereditaments to be affected by such Deviation, or such Persons on their respective Behalf as are herein-after authorized or capacitated to contract for the Sale of the Lands and Hereditaments hereby vested; any thing in this Act contained to the contrary thereof notwithstanding.

Commissioners to build a new Frontage Wall, &c. along the Remainder of Long's Wharf, and so much as may not be purchased of Trinity Wharf, in a straight Line with the River Wall of the Dockyard.

Power to build a Wall in the same Line in the Space between Trinity Wharf and Long's Wharf.

Power to deviate from such straight Line, with Consent of Owners, &c.

V. And whereas it may be expedient for the Use of His Majesty's said Dockyard and the Purposes of this Act that the present Landing Place situate at the Western Extremity of the said Dockyard should be abolished, and that the Way or Passage leading from the said Landing Place into the Road which runs on the Outside of the Western Boundary Wall or Fence of the said Dockyard should be stopped up; be it therefore further enacted, That if the said Commissioners, at the Expence of His Majesty, His Heirs or Successors, shall

In case the Commissioners shall form a new Landing Place, and make a Passage thereto, the Site of the present Landing Place at

the Western Extremity shall be discharged from all Right of using the same.

shall form and construct, at any Spot within the Boundaries of the Wharf or Piece of Ground herein-before firstly described and vested, a new Hard or Landing Place fit and proper for all such Purposes for which the said present Landing Place now is or lawfully may be used, and shall set out and make a Way or Passage of not less than Ten Feet in Width from such new Hard or Landing Place into the aforesaid Road to communicate therewith, and shall complete and open the same to the Use of such Persons, if any, as are or may be lawfully entitled to use the said present Landing Place and Way, or Passage thereto, then and from thenceforth the Ground or Soil forming the Site of the said last-mentioned Landing Place and Way or Passage (and which is now vested in the Commissioners for executing the Office of Lord High Admiral aforesaid, in Trust for His Majesty, His Heirs and Successors, for the Naval Department of the Public Service, under the Provisions of the before-mentioned Acts of Parliament) shall be and remain freed and discharged from all public and private Rights and Claims of using or passing over the same, if any such there be.

Power to enter adjoining Lands, and to deposit Materials, &c. for the Purposes of this Act, making Compensation for Damages.

VI. And be it further enacted, That, for effecting any of the Purposes of this Act, it shall be lawful for the said Commissioners, and their Engineers and other Officers, Workmen, and Servants, or any of them, and they are hereby authorized, with Horses, Carts, and Carriages, or otherwise, from Time to Time and at all Times immediately after the passing of this Act, and until the Purposes thereof shall have been completely effected, to enter into and upon all or any of the Lands adjoining the said Lands and Hereditaments hereby vested, and to deposit thereon, or on any Part or Parts thereof, and there to keep, make up, and use, any Materials whatsoever which shall or may be necessary or required for the building, erecting, and constructing the aforesaid Walls, Passage, and Landing Place, or otherwise for carrying into effect all or any of the Purposes of this Act, they the said Commissioners, at the Expence of His Majesty, His Heirs and Successors, making Compensation or Satisfaction to the Person or Persons in whose Occupation any Lands which may be so used shall be, for all Damages to be by them sustained by means thereof, which Compensation or Satisfaction shall and may be agreed for or ascertained and assessed in the same Manner, and under the same Powers and Provisions, so far as the same are or can be made applicable, as are herein-after provided with respect to the Purchase Monies of the Lands and Hereditaments hereby authorized to be purchased.

Commissioners empowered to purchase Lands hereby vested, and Corporations, &c. may contract for the Sale thereof, and also for Compensation or Satis-

VII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered to treat and agree with all or any of the Owners or Proprietors of and Persons interested in or herein-after capacitated to contract and agree for the Sale of the Lands and Hereditaments hereby vested as aforesaid, for the absolute Purchase thereof, and of all Estates and Interests therein, and for the Apportionment of the said yearly Rent of One hundred and eighty-six Pounds, and for the Extinguishment of the Whole or of a proportionate Part thereof, for such Compensation or Equivalent as herein-after mentioned, and for that Purpose

Purpose the said Commissioners shall and they are hereby required, within Twenty-one Days next after the Day on which they shall have begun to carry into effect the Powers of this Act, to cause public Notice in Writing, of such Tenor and in such Form as they shall think fit, for ascertaining the Estates, Rights, and Interests to be purchased or paid for in pursuance of this Act, and the Compensation, Equivalent, or Satisfaction claimed or required for or in respect of the same, and subscribed by them, to be affixed on the principal Door of the Parish Church of *Woolwich* aforesaid, and to be published in the *London Gazette*, and to be given to the Tenants or Occupiers of the said Premises, or affixed on some Part thereof; and it shall be lawful for all Corporations, and for all Tenants for Life or in Tail, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Committees, and all Trustees and other Persons whomsoever, not only for and on behalf of themselves and their own respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of every Person entitled in Reversion, Remainder, or Expectancy after them, if incapacitated, and all other Persons and Parties having or who shall or may have or be entitled to any Charge, Incumbrance, Claim, or Demand upon the same Lands and Hereditaments, or any Part thereof, depending upon any Contingency or uncertain Event, or which cannot or shall not be ascertained, got in, paid off, or discharged, and as to such Husbands and Guardians, also for and on behalf of their respective Wives and Wards, and as to such Committees, also for and on behalf of the Lunatics and Idiots of whom they shall be the Committees respectively, and as to all such Corporations, Tenants, Trustees, and Feoffees in Trust, Executors, Administrators, and other Persons as aforesaid, also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and for all Femes Covert in the same Manner as if they were sole and unmarried, seised, possessed of, or interested in their own Right, whether in Fee Simple, Fee Tail, or for Life, or otherwise, or entitled to Dower or any other Interest in, and for all other Persons whomsoever who at or immediately before the making of this Act were seised or possessed of or interested in the said Lands and Hereditaments hereby vested, or any of them, or who may be seised or possessed of or interested in any of the other Lands or Hereditaments hereby authorized to be taken or used for the Purposes of this Act, to contract and agree with the said Commissioners for the absolute Sale of all or any of the said Lands and Hereditaments hereby vested as aforesaid, and all Estates and Interests therein, for the Purposes of this Act, and for the Apportionment of the said yearly Rent of One hundred and eighty-six Pounds, and for the Extinguishment of the Whole or of a proportionate Part thereof, and also for the Compensation or Satisfaction to be made for and on account of any Damage or Injury done or sustained, or for any future, temporary, or perpetual or recurring Damages to be done or sustained by reason or means of the Execution of any of the Works by this Act authorized, or of any of the Powers of this Act, for such Compensation, Equivalent, or Satisfaction in Money, or Lands or other Hereditaments, or any Estate or Interest in Land or Hereditaments, or partly in Money and partly in

faction to be made for Damages.

in Land or Hereditaments, or any Estate or Interest in Land or Hereditaments, (and which Compensation, Equivalent, or Satisfaction, so far as regards the said Wharf and Hereditaments hereinbefore firstly described and vested, may be or include the Surrender or Assignment of the before-mentioned Lease, or any Part of the Premises therein comprised,) as to the contracting Parties shall seem expedient and reasonable; and all such Contracts and Agreements shall be valid and effectual in the Law to all Intents and Purposes whatsoever, and may be effectuated or confirmed in any Manner which the Forms of Law may admit; and for the Purpose only of every such Contract, Agreement, and Sale, and for preventing any Question or Dispute respecting the Validity thereof, by reason of any Want or Defectiveness of Title in the Party making the same, the Person or Persons who shall have been or shall be in possession of the Lands and Hereditaments hereby vested, or of the Rents and Profits thereof, at the Time from which the Purchase thereof respectively shall take effect, and all Persons claiming under such Persons, or under or consistently with the Possession of such Persons, shall be deemed to have been or to be lawfully entitled to such Lands and Hereditaments according to such Possession.

Manner of proceeding in case the Parties cannot agree, or by Absence, &c. shall be prevented from treating.

VIII. And for settling all Differences which may arise between the said Commissioners and the several Owners and Occupiers of or Persons interested in any of the Lands and Hereditaments which shall or may be taken, used, damaged, or injuriously affected by the Execution of any of the Powers hereby granted, be it further enacted, That if any Corporation, Trustee, or other Person so interested or entitled and capacitated to sell, contract, or agree as aforesaid, shall not agree with the said Commissioners as to the Amount of such Compensation, Equivalent, or Satisfaction as aforesaid, or if any of the Parties entitled to receive such Purchase Money or Satisfaction or other Compensation as aforesaid shall refuse to accept such Purchase Money or Satisfaction or other Compensation aforesaid as shall be offered by the said Commissioners, and shall give Notice thereof in Writing to the said Commissioners within Thirty Days next after such Offer shall have been made, and the Party giving such Notice shall therein request that the Matter in dispute may be submitted to the Determination of a Jury, or if any of such Parties as aforesaid shall for the Space of Thirty Days next after such public Notice as aforesaid shall have been affixed, published, and given, as herein-before mentioned, neglect or refuse to treat, or shall not agree, or by reason of Absence or other Cause shall be prevented from treating with the said Commissioners for the Sale of their respective Estates and Interests in any such Lands or Hereditaments, or the respective Estates and Interests which they respectively are hereby capacitated to sell therein, or shall by reason of any Impediment or Disability not provided for by this Act be incapable of effectually making such Agreement or Sale thereof, or shall not disclose and prove the State of the Title to the Premises of which they respectively may have been in possession at the Time Possession shall have been taken thereof under the Powers of this Act, or which they respectively claim to be entitled unto or interested in, or in any other Case where Agreement for Compensation for Damages incurred in the Execution of this Act cannot

be made, or in case any Dispute or Difference shall arise respecting the Apportionment of the said yearly Rent of One hundred and eighty-six Pounds, or the Sum to be paid for the Extinguishment of the Whole or a proportionate Part thereof, or in case the said Commissioners shall not within the Period of Three Calendar Months next after the Expiration of such Notice as aforesaid have ascertained to their entire Satisfaction in whom the said Lands and Hereditaments, Estates and Interests, or any of them respectively, were lawfully vested at or immediately before the passing of this Act, or who was or were the Person or Persons entitled or by this Act capacitated to sell, contract, or agree as aforesaid, then and in every such Case the said Commissioners shall, and they are hereby required from Time to Time to issue a Warrant under their Hands and the Seal of the Office of Admiralty to the Sheriff of the said County, requiring him to summon, return, and impannel, and the said Sheriff is hereby accordingly empowered and required to summon, return, and impannel, a Jury of not less than Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to serve on Special Juries for Trials of Issues in His Majesty's Courts of Record at *Westminster;* and the Persons so to be summoned, returned, and impannelled are hereby required to appear before the said Sheriff or his Under Sheriff at such Time and Place within the said County as in such Warrant shall be appointed, and to attend from Day to Day until duly discharged; and out of the Persons so to be summoned, returned, and impannelled, or out of such of them as shall appear, a Jury of Twelve Men shall be impannelled by the said Sheriff or Under Sheriff, or by some Person to be by them respectively appointed, in such Manner as Special Juries for Trials of Issues joined in His Majesty's Courts of Record at *Westminster* are by Law directed to be impannelled, and all Parties concerned may have their lawful Challenges against any of the said Jurymen, but shall not challenge the Array; and the said Sheriff or Under Sheriff is hereby empowered and required to summon before him all Persons who shall be thought necessary to be examined as Witnesses touching the Matters in question, and shall and may use all such other lawful Ways and Means, as well for his own as for the said Jury's better Information, as shall be requisite in the Premises; and such Jury shall upon their Oaths, or being Quakers upon their solemn Affirmations, (which Oaths and solemn Affirmations, as well as the Oaths and solemn Affirmations of all Persons who shall be called upon to give Evidence, the said Sheriff or Under Sheriff is hereby empowered and required to administer,) inquire of and assess and give a Verdict for the true and real Value of such of the said Lands and Hereditaments hereby vested as shall have been taken and used or as shall be required for the Purposes of this Act, or of any Part thereof, or the true and real Value of any Estates or Interests therein which may be the Occasion or Subject of such Inquiry, and shall settle and determine, if thereunto required, the Apportionment of the said Rent, and the Sum to be paid for the Extinguishment of the Whole or a proportionate Part thereof, and also the Sum of Money to be paid by way of Satisfaction or Compensation, either for the Damages which shall before that Time have been done or sustained as aforesaid, or for the future temporary or perpetual or for any recurring Damages which shall have been so done or sustained

tained as aforesaid, and the Cause or Occasion of which shall have been in Part only obviated, removed, or repaired by the said Commissioners, and which cannot or will not be further obviated, removed, or repaired by them, which Satisfaction or Compensation for such Damages or Loss shall be inquired into and assessed separately and distinctly from the Value of the Lands and Hereditaments so to be taken or used as aforesaid; and the said Sheriff or Under Sheriff shall accordingly give Judgment for such Purchase Money, Satisfaction, or Compensation, and for such Apportionment as shall be assessed and settled by such Jury, which said Verdict and the Judgment thereon to be pronounced as aforesaid shall be binding and conclusive to all Intents and Purposes upon all Corporations and Persons whatsoever: Provided always, that not less than Forty-two Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by or on the Part of the said Commissioners to the Party with whom any such Controversy shall arise, by causing the same to be affixed upon the principal Door of the Parish Church of *Woolwich* aforesaid, and to be published in the *London Gazette*, and by leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of the Corporation, or with some Tenant or Occupier of the Premises intended to be valued, or respecting which or any Damage to which any such Question shall arise, or affixing the same on some Part thereof: Provided also, that in every Proceeding before any such Jury as aforesaid the Party claiming Compensation shall be deemed to be the Plaintiff, and the said Commissioners the Defendants.

In default of Jurors, Sheriff to adjourn the Inquiry until a sufficient Number appear.

IX. And be it further enacted, That in case a sufficient Jury to take the Inquisition shall not appear upon the Return of the said Warrant, it shall be lawful for the said Sheriff or Under Sheriff and he is hereby required, from Time to Time, until a sufficient Jury shall have been obtained by the Means aforesaid, to adjourn the Inquiry to any future Day not exceeding Fourteen Days nor less than Four Days from the Adjournment thereof, and when a sufficient Number of Jurors shall appear he shall proceed to swear and impannel Twelve of them, who shall inquire as aforesaid.

No Person to be heard upon the Inquiry without giving previous Notice of his Claim.

X. And be it further enacted, That no Person shall be heard before the said Sheriff or Under Sheriff and Jury touching the Matter of the Inquiry unless a previous Notice in Writing of Fourteen Days at the least before the taking of such Inquisition shall be given to the said Commissioners or the Solicitor of the Admiralty for the Time being, containing a full and particular Statement and Account of the Nature and Extent of the Estate or Interest in respect whereof such Person shall claim to be heard.

Jury to distinguish the Value of certain Parts of the Premises, and to settle the Proportions to be allowed to the

XI. And be it further enacted, That the said Jury, at the Time of assessing as aforesaid the true and real Value of the said Lands and Hereditaments, or any Part thereof, shall and they are hereby required to distinguish the Value of the Part hereby vested of the said Wharf called *Long's Wharf*, from the Value of the other Lands and Hereditaments, and shall and they are hereby empowered, if thereunto required, to settle what Shares and Proportions of the Purchase Money

Money or Compensation for Damages which shall be assessed as aforesaid shall be allowed to any Tenant or other Person for any his or her particular Estate, Term, or Interest in the Premises that may be shown to have been or to be existing therein respectively at the Time Possession shall have been taken thereof as aforesaid in the Case of the said Wharf called *Long's Wharf*, an at the Time of the taking of the said Inquisition in the Case of *Trinity Wharf* otherwise *Hardin's Wharf* aforesaid.

Owners of particular Estates.

XII. Provided always, and be it further enacted, That if and when any Part of the said Rent of One hundred and eighty-six Pounds shall be released or extinguished, by reason of the Purchase of the Land and Hereditaments in respect whereof the same shall have been apportioned, or otherwise, by virtue or in pursuance of this Act, the other Lands, Tenements, and Hereditaments out of or in respect of which, jointly with the Land and Hereditaments so to be purchased, the said Rent is now issuing or payable, shall be chargeable only with the Remainder of such Rent, and with the Arrears, if any, of the Whole of the said Rent.

After Apportionment of Rent, Lands chargeable therewith not purchased to be subject only to the Remainder and Arrears if any.

XIII. Provided also, and be it further enacted, That all and every the Person or Persons who are or for the Time being shall be entitled to the Reversion expectant on the Term granted by the said Lease shall and may have and use and exercise all the same Rights of Action and Re-entry, and all other Rights and Remedies whatsoever, as against the Residue of the Property comprised in the said Lease which shall or may not be taken or used for the Purposes of this Act, and all Persons whomsoever who are or may be interested therein under the said Lease, for and in respect of any Nonpayment of the said Rent, or any Part thereof to be apportioned or fixed thereon by virtue of this Act, or any Arrears thereof, or for or in respect of any Breach or Nonperformance of any of the Covenants or Conditions contained in the said Lease, and otherwise, to all Intents and Purposes as if the said Lease had been originally granted of such Residue of the said Premises at the said Rent of One hundred and eighty-six Pounds, or at such apportioned Part thereof, if any such Apportionment shall be made, and subject to such Covenants and Conditions applying exclusively to such Residue of the said Premises; and if at the Time of the passing of this Act there shall have accrued and be due any Arrear of the said Rent of One hundred and eighty-six Pounds, the whole Amount thereof shall be chargeable upon such Residue of the same Premises in like Manner as if such Arrear had been originally only charged thereon.

Rights of Action and Re-entry reserved to the Persons entitled to the Reversion expectant on the Lease.

XIV. Provided always, and be it further enacted, That in case no Person shall appear pursuant to such Notice so to be given and affixed as aforesaid, then the said Sheriff or Under Sheriff as aforesaid, and also the said Jury, shall proceed, upon the best Information they can procure or obtain, to make such Inquest and Judgment as hereinbefore directed; and such Inquest and Judgment shall be final, binding, and conclusive, in like Manner as if all Parties concerned had appeared and been heard upon the making thereof.

In case no Person shall appear pursuant to Notice, Inquest to be taken upon the best Information.

XV. And

Penalties imposed on Sheriff, Jurors, and Witnesses for Neglect of Duty.

XV. And be it further enacted, That if the Sheriff or Under Sheriff so directed to summon, return, and impannel a Jury, and take such Inquest as aforesaid, shall make default in the Premises, he shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; 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 shall refuse to be examined upon Oath, or upon solemn Affirmation if one of the People called *Quakers*, 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 any One of His Majesty's Justices of the Peace for the County or Place within which the Party so offending shall reside, by Distress and Sale of his Goods and Chattels, returning the Overplus (if any) after such Penalty and the Charges of such Distress and Sale shall have been deducted; and it shall be lawful for such Justice to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

How to be recovered.

Justices may proceed by Summons without written Information.

Witnesses giving false Evidence may be prosecuted.

Punishment.

XVI. And be it further enacted, That all Persons who, in any Examination to be taken upon Oath or Affirmation in any Proceeding under this Act, shall wilfully give false Evidence before any such Sheriff or Under Sheriff and Jury as aforesaid, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury may be by the Laws in being subject and liable to.

Inquisitions to be preserved as Records, and to be good Evidence.

XVII. And be it further enacted, That the said Inquisitions, Verdicts, and Judgments shall be deposited with the Clerk of the Peace of the said County, 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, certified by such Clerk of the Peace for the Time being, 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 or make Copies thereof or Extracts therefrom, paying for every Copy or Extract after the Rate of Sixpence for every One hundred Words.

XVIII. And

Allowances to Sheriff and Jurors.

XVIII. And be it further enacted, That each Juryman who shall be summoned and appear as aforesaid, and be ready to be sworn, shall be allowed his reasonable travelling Expences to and from the Place of meeting; and that each Juryman who shall be sworn shall, in addition thereto, be allowed for his Trouble and Subsistence the Sum of One Pound One Shilling for each Day's Attendance, and no more; and that the Sheriff or Under Sheriff, for summoning, returning, and impannelling the Jury, and taking and recording their Verdict, and the Judgment to be given thereon, shall be allowed the Sum of Ten Pounds and no more, and for his Subsistence the further Sum of One Pound One Shilling for each Day's Attendance, in addition to his reasonable travelling Expences to and from the Place of meeting; which said respective Allowances, in case of Dispute, shall be determined by Two Justices of the Peace in and for the said County, and shall be paid by the said Commissioners or their Order.

Payment of Purchase Money.

XIX. And be it further enacted, That every Sum of Money to be agreed upon or assessed as aforesaid for the Purchase of all or any of the said Lands and Hereditaments hereby vested, or of any Estate or Interest therein, together with the Interest thereon after the Rate and from the Time aforesaid, in case any such Interest shall be payable, or for any such Compensation or Satisfaction as herein mentioned (except as herein otherwise provided) shall be paid by the said Commissioners either to the Person or Persons thereunto entitled, or into the Bank of *England*, as herein-after mentioned (as the Case may require), on a clear Title to the Lands or Hereditaments, Estate or Interest in respect whereof the same shall be payable, being deduced and shewn; or in case no such Title shall be shewn within Two Years after the said Sum of Money shall have been so agreed upon or assessed as aforesaid, then such Money, and the Interest thereof, if any, shall, at the Expiration of the said Two Years, be paid into the Bank of *England*, under the Provision in that behalf herein-after contained.

Differences between Commissioners and Owners as to Damages to be settled by Two Justices.

XX. And be it further enacted, That in case any Difference shall arise between the said Commissioners and any of the Owners or Occupiers of the Property to be taken or used for the Purposes of this Act as to the Amount or Value of the Damages done by the said Commissioners, their Engineers, Officers, Agents, Servants, 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 said Parties, the same shall be ascertained and determined by some Two or more Justices of the Peace for the said County, 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, provided such Compensation do not exceed the Sum of Twenty Pounds; and the Sums of Money to be so awarded and settled shall be from Time to Time paid by the said Commissioners on behalf of His Majesty, His Heirs and Successors, within the Space of Ten Days after the same shall have become due.

Application of Compensation Money when exceeding 20*l.*

XXI. Provided always, and be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any of the Lands and Hereditaments to be taken or used by virtue of the Powers of this Act, or any Estate or Interest therein, or for the Extinguishment of the said Rent or any Part thereof, or for any Compensation or Satisfaction under this Act, which any Corporation, Tenant for Life or in Tail, or Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or any Person or Persons under any other Disability or Incapacity, shall be entitled unto, interested in, or hereby capacitated to sell; or in case the Lands, Hereditaments, Estate, or Interest, for the Purchase whereof the same shall be agreed or assessed to be paid, shall be subject to or charged or eventually chargeable with any Incumbrances, Liabilities, Claims, or Demands which cannot or shall not be ascertained, got in, paid off, or discharged; such Money shall, in case the same shall exceed the Sum of Twenty Pounds, with all convenient Speed be paid, together with the Interest payable in respect of the same, if any, into the Bank of *England*, with the Privity of the Accountant General of His Majesty's High Court of Chancery (for whose Certificate to be granted in that Behalf the Direction or Request of the said Commissioners shall be a sufficient Warrant), to be placed to his Account there as such Accountant General, and to the Credit of an Account to be entitled "*ex parte* the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* in the Matter of *Trinity Wharf* (or *Long's Wharf*, as the Case may be,) at *Woolwich*," pursuant to the Regulations and General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands or Hereditaments, or to the Rent which shall have become extinguished, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the Lands or Hereditaments in respect whereof such Sum shall have been paid, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes, which the said Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall upon the like Application be laid out by Order of the said Court, made in a summary Way, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands or Hereditaments in respect whereof such Purchase Money, Compensation, or Satisfaction shall have been paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; in the meantime, and until such Purchase can be made, the said Money may by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his

his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time by Order of the said Court be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments so to be purchased and settled.

Application of Compensation Money when not exceeding 20*l.*

XXII. Provided always, and be it further enacted, That where any Money so agreed or awarded to be paid as herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so taken or used for the Purposes of this Act, or in respect of which such Compensation or Satisfaction shall be paid, for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

In case of disputed Titles, Money to be paid into the Bank.

XXIII. And be it further enacted, That in case any Party to whom any Money shall be agreed or awarded to be paid for the Purchase of any Lands or Hereditaments to be taken or used under or by virtue of the Powers of this Act, or any Estate or Interest therein, or for the Extinguishment of the said Rent or any Part thereof, or for Compensation or Satisfaction as aforesaid, shall refuse to accept the same, or cannot be found, or shall be absent from *England*, or shall refuse, neglect, or be unable to make a Title to such Lands or Hereditaments, Estate or Interest, to the Satisfaction of the Counsel of the said Commissioners for the Purposes of this Act; or if any Party entitled to contract or agree for the Sale of such Lands or Hereditaments, Estate or Interest, shall not be known, or shall be absent from *England*, or shall refuse to execute any proper Contract or Agreement for the Sale thereof respectively; then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Commissioners to order the Money so agreed or awarded as aforesaid 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, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments, Estate or Interest, (describing the same so far as the said Commissioners can do,) subject to the Controul and Disposition of the said Court, which said Court, on the Application of any Party making claim to such Money or to any Part thereof by Petition, 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 in Government or Real Securities, and to order Distribution thereof, or Payment of the Dividends or Interest thereof, according to the Estate, Title, or Interest of the Party making claim thereunto, and to make such other Order in the Premises as to the said

said Court shall seem proper; and the Cashier of the Bank of *England* who shall receive such Money is hereby required to give to the said Commissioners, or to any Party paying any Money into the Bank of *England* under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received.

Persons in possession presumptively entitled.

XXIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in pursuance of this Act, for the Purchase of, or as Compensation or Satisfaction for any Damage or Injury to any Lands or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands or Hereditaments to be purchased, taken, or used in pursuance of this Act, or for the Extinguishment of the said Rent or any Part thereof, or to any Annuities or Securities to be purchased with any such Money as herein mentioned, or to the Dividends or Interest of any such Annuities or Securities, or to any Part of such Money, Annuities, Securities, Dividends, or Interest respectively, the Persons who shall have been in possession of such Lands and Hereditaments, or of the Rents and Profits thereof, at the Time from which such Purchase thereof shall take effect, or at the Time when such Damage or Injury shall have occurred, and all Persons claiming under such Persons, or under or consistently with the Possession of such Persons, shall be deemed to have been lawfully entitled to such Lands or Hereditaments according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the Satisfaction of the said Court that such Possession was a wrongful Possession, and that some and what other Person or Persons was or were lawfully entitled to such or to some and what Part of such Lands or Hereditaments, or to some and what Estate or Interest therein.

Court may order Costs of Petition to be paid by Commissioners.

XXV. Provided also, and be it further enacted, That where the Purchase Money for any Lands or Hereditaments to be taken or used for the Purposes of this Act, or the Money paid for any such Compensation or Satisfaction as aforesaid, shall be paid into the Bank of *England* under or in pursuance of this Act, it shall be lawful for the said Court to order the Costs, Charges, and Expences of and attending any such Petition or Application as aforesaid and the Proceedings to be had thereon, (to be ascertained as between Solicitor and Client, if the said Court shall think fit,) or so much of such Expences as the said Court shall deem reasonable under the Circumstances of the Case, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Lands given in Exchange to be settled to the same

XXVI. Provided also, and be it further enacted, That in case any Lands, Tenements, or Hereditaments shall be agreed to be given by the said Commissioners in or by way of Compensation, Equivalent, or

Satisfaction for any of the Lands and Hereditaments to be purchased under the Authority and for the Purposes of this Act, the Lands, Tenements, and Hereditaments so to be given shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands or Hereditaments for or in respect of the Purchase whereof the same shall be given stood settled or limited at or immediately before the passing of this Act, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect.

Uses as those for which they are discharged.

XXVII. And whereas it is necessary and expedient, for the greater Improvement and Security of the Navigation of the said River in front of and near to the said Dockyard, to abate and prevent such other Embankments or Obstructions which do or may tend to impede the free Current of the Water, or to occasion any Deposit or Accumulation of Mud or other Matter in front of the said Dockyard, as exist or may arise to be occasioned along the Southern Bank or Shore of the said River to the Westward of the said Dockyard within certain Limits; be it therefore further enacted, That it shall be lawful for the said Commissioners, and their Engineers and other Officers, Workmen, and Servants acting under their Authority, or any of them, at any Time, and from Time to Time at all Times from and after the passing of this Act, to enter into and upon and take possession of, and, with the Consent of the Mayor of the City of *London* for the Time being, as Conservator of the said River, in Writing for that Purpose first had and obtained, to demolish, remove, and lay open to the Flow and Reflow of the River, and to vary or alter the Line, Position, Slope, or Construction of all or any Part or Parts of any Land, River Wall, Breastwork, Embankment, Erection, or Building whatsoever, and to dig, cut, excavate, and remove, and also to embank and fill in, and to deposit, lay, and work, any Stone, Rubble, Grouting, Gravel, or other Materials or Things whatsoever, upon, over, or into any Part or Parts of the Bank or Shore Ground on the Southern Side of the said River, which is or are situate or lying, or which shall or may be made or occasioned or arise, within the Distance of Three hundred and fifty Yards Westwards from the Western Extremity of the said Wharf called *Long's Wharf*, in such Manner as the said Commissioners shall deem necessary or advisable for effecting the Objects and Purposes of the Powers hereby given, they the said Commissioners, their Engineers, Officers, Workmen, and Servants, doing as little Damage as may be in the Execution of the Powers to them by this present Enactment granted, and the said Commissioners, at the Expence of His Majesty, His Heirs and Successors, repairing and making good the Embankment or River Frontage of any Land or River Wall or other Frontage which may be laid open, cut, demolished, or removed, and strengthening, sustaining, and protecting any Embankment, Dike, or Shore Ground that may be weakened, undermined, or endangered, and also making Compensation or Satisfaction to all Persons interested in any Lands or Hereditaments which shall be taken, used, or injured, for all Damages to be by them sustained in or by the Execution of all or any of such last-mentioned Powers: Provided always, that the Powers in this Act granted shall

Power to remove and prevent Obstructions along the Southern Shore of the River within 350 Yards West of Long's Wharf.

Powers hereby granted not to prejudice other Remedies.

and are hereby declared to be without Prejudice to any other Power or Remedy for the Abatement or Prevention of any Obstruction or Nuisance to the said Navigation within the Limits aforesaid, or for the Punishment of any Offences in relation thereto.

Limitation of Actions.

XXVIII. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in execution or pursuance of this Act until after Twenty-eight Days Notice thereof shall have been given to the Secretary of the Admiralty for the Time being, clearly and explicitly specifying the Cause of Action or Suit, and Name and Place of Abode of the Person or Persons bringing the same, and of his, her, or their Attorney or Agent, nor after a sufficient Compensation or Tender thereof made to the Party aggrieved, nor after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be laid, brought, and tried in the County of *Kent*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his, her, or their Election, plead specially or the General Issue, and give this Act or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in the Execution and in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-eight Days Notice thereof shall have been given as aforesaid, or after sufficient Compensation made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought or laid in any other County than the said County of *Kent*, the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for recovering the same as any Defendant hath for his Costs in any other Cases by Law.

In an Action for any thing done in execution of this Act, if the Court or Judge shall certify that there was reasonable Cause, the Plaintiff shall not be entitled to Costs, &c.

XXIX. And be it further enacted, That in case any Action, Suit, Indictment, or other Prosecution shall be commenced and be brought to Trial against any Person or Persons whomsoever, on account of any Act, Matter, or Thing done in or arising out of the Execution of the Powers given by or otherwise in effecting and completing the Purposes of this Act, wherein a Verdict shall be given against the Defendant or Defendants, if the Court or Judge before whom such Action, Indictment, Suit, or other Prosecution shall be tried shall certify on the Record that there was a reasonable Cause for the doing such Act, Matter, or Thing as aforesaid, then the Plaintiff or Plaintiffs in such Action or Suit shall not be entitled to any Costs, nor shall the Defendant or Defendants in any such Prosecution be subject to a greater Punishment than a Fine of One Shilling.

If any of the Lands hereby vested shall not be required within

XXX. Provided always, and be it further enacted, That if any Part or Parts of the Wharfs, Lands, and Hereditaments herein-before described and vested shall appear to the said Commissioners unnecessary to be purchased, taken, or used for the Purposes of this

Act, or if they shall determine not to purchase, take, or use the same, (and they are hereby required to come to some Determination in that Behalf within Five Years next after the passing of this Act,) they shall cause Notice thereof to be published in the *London Gazette*, and then and from thenceforth all such Part or Parts of the same Wharfs, Lands, and Hereditaments shall be for ever freed and exempted from the Operation and Provisions of this Act, so far as regards the vesting or Purchase thereof, in the same Manner as if this Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

Five Years, they shall be exempted from the Operation of the Act.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice or derogate from the Estates, Rights, Privileges, Franchises, Jurisdiction, or Authority of the Mayor and Commonalty and Citizens of the City of *London*, or their Successors, or the Lord Mayor for the Time being, or prohibit, defeat, alter, or diminish any Power, Authority, or Jurisdiction which at the Time of passing this Act the said Mayor and Commonalty and Citizens, or the said Lord Mayor for the Time being, as Conservator of the River *Thames*, did or might lawfully claim, use, or exercise, nor authorize or empower the said Commissioners to embank, encroach upon, or interfere with any Part of the Soil or Bed of the said River, or the Shore thereof, except so far as is herein-before mentioned.

Saving the Rights of the Corporation of London.

XXXII. And be it further 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.

Public Act.

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