ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. 14.

An Act to empower the Dean and Chapter of *Westminster* to build on Ground contiguous to *Westminster Abbey*, and for other Purposes.

[7th *August* 1851.]

WHEREAS the Dean of the Collegiate Church of *Saint Peter Westminster* and the Chapter of the same Church being desirous of facilitating the Formation of a spacious and convenient Communication between the Neighbourhood of the Houses of Parliament and that of *Buckingham Palace*, and of otherwise improving the adjacent Neighbourhood, an Act was passed in the 4 & 5 Vict. c. 25.
Session of Parliament held in the Fourth and Fifth Years of the Reign of Her present Majesty, whereby it was enacted that it should be lawful for the said Dean and Chapter, as therein mentioned, to purchase any Houses, Buildings, Lands, Hereditaments, and Premises mentioned and described in the Schedule (A.) to the said Act now in recital annexed, and any subsisting Leases, Terms, Estates, and Interests in any of the Houses, Buildings, Lands, Hereditaments, and Premises mentioned and described in either of the Schedules (A.) and (B.) to the same Act; and by the same Act the said Dean and

Chapter were empowered to lease all or any Part of the Lands, Messuages, Tenements, and Hereditaments comprised in the said Schedules (A.) and (B.), or either of them, and also to lease the Houses and Buildings which should thereafter be built on any Part of the same Hereditaments respectively for any Term of Years not exceeding Ninety-nine Years in possession, to any Person who should be willing to improve or repair the then present or any future Houses and Buildings, or any of them, or to build other Houses or Buildings in lieu thereof, or to build any Houses or other Buildings on any Grounds whereon no Buildings should be then standing; and the said Dean and Chapter were empowered for the Purposes thereof to pull down and remove all or any of the Houses, Buildings, and Tenements comprised in the said Schedule (B.), and such of those comprised in the said Schedule (A.) as they might acquire under any Powers therein-before contained, and also to build on the Sites of the same or any of them, and on all or any Part of the other Property, whether Courts, Alleys, Streets, Ways, Passages, or vacant Ground, which might become vested in them under the Provisions of the now reciting Act, and to appropriate and apply for or towards the Purposes of the now reciting Act the Monies to be produced by the Sale of certain Sums of Stock arising from the Purchase Money of divers Houses, Lands, and Tenements sold by the said Dean and Chapter under the Authority of divers Acts of Parliament in the now reciting Act mentioned or referred to: And whereas

8 & 9 Vict. c. 178.

under and by virtue of an Act of Parliament passed in the Session of Parliament held in the Eighth and Ninth Years of the Reign of Her present Majesty, it was (amongst other things) enacted, that notwithstanding any Provisions in the Lands Clauses Consolidation Act, 1845, contained, relating to the Application of Monies payable to Parties under Disability, it should be lawful for the said Dean and Chapter to receive all Monies which, under the Provisions of the Act now in recital, might become payable to them by way of Purchase Money or Compensation or otherwise by the Commissioners authorized to carry the Act now in recital into effect; and the said Dean and Chapter were thereby authorized and empowered to apply any Monies which might be so received by or become payable to them under or by virtue of the Act now in recital in the Reimbursement and Repayment of a certain Sum of Five thousand five hundred Pounds therein-before mentioned to have been expended out of their private Funds, and in the Purchase of a Plot of Ground near *Flood Street*, or any other Property which the said Dean and Chapter were enabled to purchase under the Act now in recital, or the said recited Act, and for the Purposes of the last-mentioned Act, or for such One or more of such Purposes in

preference to the other or others of them, as the said Dean and Chapter in their Discretion should think fit: And whereas, under and by virtue of the Provisions of an Act of Parliament passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her present Majesty, the said Dean and Chapter were empowered to erect on Part of certain Lands coloured Blue in the Plan referred to in the now reciting Act a House for the Chapter Clerk of the said Dean and Chapter, with the necessary Outbuildings thereto, and also suitable Offices for the said Chapter Clerk, and the Receiver General, and the Clerk of the Works of the said Dean and Chapter, and also a new Tower and Gateway or Entrance, with suitable Lodges, into *Dean's Yard*, and to appropriate for the Purposes aforesaid, out of the Monies which they should receive by virtue of the now reciting or the last-recited Act, the Sum of Five thousand Pounds, and also to lease all or any Part of the Remainder of the said Lands coloured Blue on the said Plan, under and by virtue of and subject to the Provisions contained in the first herein-before recited Act: And whereas the said Dean and Chapter, in pursuance of the Provisions contained in the said last-recited Act, have erected a House and Offices for their Chapter Clerk on Part of the said last-mentioned Lands: And whereas the said Dean and Chapter having been unable to let the Remainder of the said Lands coloured Blue on such Plan as aforesaid upon such Building Leases as would ensure the Erection of Buildings which would accord, as regards their architectural Character, with the Abbey Church at *Westminster* contiguous thereto, are themselves desirous of erecting suitable Buildings on the last-mentioned Lands: And whereas the said Dean and Chapter, under and by virtue of the Two several Acts lastly herein-before recited, have sold certain Lands and Hereditaments to the Commissioners appointed for carrying such Acts into effect for the Purposes of such Acts, and the Consideration Money payable to the said Dean and Chapter in respect of such Sales amounts to Sixteen thousand eight hundred Pounds and upwards, but Payment thereof has not yet been made, and may not be made for several Years, and which said Monies, when paid, the said Dean and Chapter would be entitled to lay out in building on the said Lands coloured Blue on the said Plan: And whereas the said Dean and Chapter, under the Provisions of a certain Act of Parliament made and passed in the Session of Parliament held in the Tenth and Eleventh Years of the Reign of Her said Majesty, intituled *An Act to empower the Dean and Chapter of* Westminster *to sell and exchange certain Lands and Hereditaments in the Parishes of* Paddington *and* Saint George Hanover Square, *in the County of* Middlesex, *and to lay out the Monies to arise from such Sale in the Purchase of other*

10 & 11 Vict. c. 131.

10 & 11 Vict. c. 28.

Lands

Lands and Hereditaments, and for other Purposes, are in expectation of effecting a Sale of their Interest in the Lands comprised in the First and Fourth Schedules to the now reciting Act, the Consideration Money for which Sale will amount to a large Sum, which will, under the Provisions of the Act now in recital, be liable to be laid out in carrying into effect the Purposes of the said recited Act of the Fourth and Fifth Years of the Reign of Her present Majesty, under the Powers of which Act the said Dean and Chapter were entitled to apply the Monies to arise from the Sale of certain Sums of Stock in the said Act particularly mentioned or referred to in building on the said Lands coloured Blue in the said Plan, or in the Purchase of Land and Hereditaments as mentioned in the now reciting Act: And whereas, under the Powers of a certain Act of Parliament passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend and explain an Act for the Commutation of certain Manorial Rights in respect of Lands of Copyhold and Customary Tenure, and in respect of other Lands subject to such Rights, and for facilitating the Enfranchisement of such Lands, and for the Improvement of such Tenure*, and of a certain Act recited therein, or One of them, the said Dean and Chapter, as Lords of the Manor of *Oakham* with *Barleythorpe* in the County of *Rutland*, have lately enfranchised certain Copyhold Hereditaments held of the same Manor, and the Consideration Money for such Enfranchisement, amounting to Six thousand Three hundred and sixty Pounds Fourteen Shillings and Twopence Three Pounds *per Centum* Consolidated Bank Annuities, has been paid to Trustees for the said Dean and Chapter in the Manner authorized by the now reciting Act: And whereas the said Dean and Chapter, in pursuance of certain Powers contained in divers Acts of Parliament, have sold divers Messuages, Lands, and Hereditaments, Part of their corporate Property, and in pursuance of the Directions in such Acts or of certain other Acts incorporated therewith or some of them, the Purchase Monies arising from such Sales have been invested in the Three Pounds *per Centum* Consolidated Bank Annuities in the Name of the Accountant General of the Court of Chancery, and there now remain standing in the Name of the said Accountant General in respect of such Bank Annuities the following Sums, *videlicet*, firstly, the Sum of Seven hundred and sixteen Pounds Eight Shillings like Annuities, "*Ex parte* the Commissioners of Her "Majesty's Woods, Forests, Land Revenues, Works, and Buildings, "the Account of the Dean and Chapter of *Westminster*," being the Balance of a Sum of Five thousand three hundred and thirty-eight Pounds Thirteen Shillings and Fivepence like Annuities, heretofore standing in the Name of the said Accountant General, in trust in the same

6 & 7 Vict. c. 23.

same Matter and to the same Account; secondly, the Sum of Two thousand seven hundred and seventy-six Pounds Eighteen Shillings and Elevenpence like Annuities, "*Ex parte* the *Great Northern* Rail- "way Company, in the Matter of the *Great Northern* Railway Act, "1846, the Dean and Chapter of *Westminster*;" thirdly, the Sum of One thousand two hundred and thirty-five Pounds Five Shillings and Eightpence like Annuities, "*Ex parte* the *Oxford, Worcester, and* "*Wolverhampton* Railway Company, in the Matter of the *Oxford,* "*Worcester, and Wolverhampton* Railway Act, 1845, the Dean and "Chapter of *Westminster*;" fourthly, the Sum of One thousand five hundred and fifty-four Pounds Eighteen Shillings and Fivepence, like Annuities, "*Ex parte* the *Midland* Railway Company, the Account of "the Dean and Chapter of *Westminster*;" fifthly, the Sum of Eight hundred and seventeen Pounds and Sevenpence like Annuities, "*Ex* "*parte* the *London and South-western* Railway Company, in the "Matter of the *Windsor, Staines, and South-western* Railway Act "No. 1., 1847, the Dean and Chapter of *Westminster*;" sixthly, the Sum of Five hundred and nine Pounds Eleven Shillings and One Penny like Annuities, "*Ex parte* the *Buckinghamshire* Railway "Company, in the Matter of the *Buckinghamshire* Railway Act, "1850, the Dean and Chapter of *Westminster*;" and the said Dean and Chapter, in pursuance of the Powers contained in some Acts or Act of Parliament, have lately agreed to sell divers other Messuages, Lands, and Hereditaments, but the Purchase Monies in respect of such last-mentioned Sales have not been yet fully ascertained, or, if ascertained, have not yet been invested as aforesaid; and the said Dean and Chapter, in pursuance of the Powers aforesaid, are in expectation of selling or agreeing for the Enfranchisement of other Messuages, Lands, and Hereditaments, and the Purchase or Consideration Monies in respect of such last-mentioned Sales or Enfranchisements will amount to a considerable Sum: And whereas all the aforesaid Monies derived from such Sales and Enfranchisements as aforesaid, and the Monies to be produced by the Sale of such Stocks as aforesaid, are liable to be laid out in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Incumbrance upon the Lands belonging to the said Dean and Chapter, or in the Purchase of Lands to be settled to the same Uses as those to which the said Lands so sold to the said Commissioners stood limited, that is to say, to the Use of the said Dean and Chapter and their Successors in perpetual Succession: And whereas it would be highly beneficial to the said Dean and Chapter, and their Successors, and tend to the permanent Improvement of the Neighbourhood of the Abbey Church at *Westminster*, if the said Dean and Chapter were empowered to expend a Sum not exceeding Twenty-five thousand Pounds out of Monies to arise from the Sale of Stocks

liable to be laid out in the Purchase of Lands, to be conveyed to the said Dean and Chapter as aforesaid, or out of Monies to be received in respect of the Sale and Enfranchisement of any such Lands, in the Erection of Buildings of such suitable Description as aforesaid upon the Remainder of the said Lands coloured Blue in the said Plan, and marked (R.) and (S.) therein, and upon any other Lands contiguous thereto, and on which the said Dean and Chapter are or were authorized to build, and for the Purposes of the Improvement of the adjacent Property belonging to the said Dean and Chapter; but the Purposes aforesaid cannot be effected without the Authority of Parliament: Therefore Your Majesty's most dutiful and loyal Subject the very Reverend *William Buckland*, Doctor in Divinity, Dean of the said Collegiate Church, and the Chapter of the same Church, constituting the Body Corporate entitled "The Dean and Chapter of the Collegiate Church of *Saint Peter Westminster*," do most humbly beseech 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,

Power to Dean and Chapter to enter into Contracts for building on Lands mentioned in 10 & 11 Vict. c. 131.;

I. That in order to enable the said Dean and Chapter and their Successors to carry the Purposes of this Act into effect, it shall be lawful for the said Dean and Chapter and their Successors, at any Time hereafter within the Space of Ten Years, to erect and build on all or any Part of the said Lands coloured Blue on the said Plan mentioned or referred to in the said recited Act of the Tenth and Eleventh Years of Her present Majesty, Chapter One hundred and thirty-one, and therein marked (R.) and (S.), and upon any other Lands contiguous thereto, and on which the said Dean and Chapter are or were authorized to build such Houses or Buildings with the necessary Outbuildings thereto as shall in the Opinion of the said Dean and Chapter best accord as regards their architectural Character and otherwise with the Abbey Church aforesaid, and also a new Tower and Gateway or Entrance, and either with or without suitable Lodges, into *Dean's Yard*; and that it shall be lawful for the said Dean and Chapter and their Successors to enter into any Contract or Contracts, Agreement or Agreements, with any Architect, Builder, or other Person for the Erection of all or any of such Houses and Buildings as aforesaid, or any Part or Parts thereof, specifying the Terms, Stipulations, and Conditions on and subject to which such Architect, Builder, or other Person shall erect such Houses and Buildings as aforesaid; and that it shall be lawful for the said Dean and Chapter and their Successors in any such Contract, with the Consent of the Contractor or Contractors, to reserve a

Power

Power to alter or vary the Terms or Stipulations thereof, and also a Power absolutely to rescind and put an end to the same, either on their entering into a fresh Contract or Contracts or not, both or either, as the said Dean and Chapter shall think proper; and that for the more effectually carrying out the Purposes of this Act, it shall be lawful for the said Dean and Chapter and their Successors, and they are hereby empowered, to contract for and purchase the Leasehold Interest of and in the Messuage or Tenement and Hereditaments situate in *Dean's Yard* aforesaid, and numbered A 59 in Schedule (B.) to the said recited Act of the Fourth and Fifth Years of Her present Majesty, Chapter Twenty-five, and of the Reversion of which said Messuage or Tenement and Hereditaments the said Dean and Chapter are seised in Fee (and which said Messuage and the Site thereof are contiguous to the said Lands in the said Plan marked Blue), and to pull down the same Messuage and Premises, and either to erect any other Building on the Site thereof or on any Part thereof, or to leave the same Site or any Part thereof vacant, as the said Dean and Chapter, in their Discretion, may think fit; and further, that it shall be lawful to and for the said Dean and Chapter and their Successors, and they are hereby empowered, to appropriate, set apart, and expend a Sum not exceeding the Sum of Twenty-five thousand Pounds for the Purposes of this Act, by and out of the Funds or Monies after mentioned; and that it shall be lawful for the said Court of Chancery, upon Petition, to be preferred at any Time or from Time to Time by the said Dean and Chapter, in a summary Way, to order that any Sum or Sums of Money not exceeding in the whole the Sum of Twenty-five thousand Pounds Sterling, shall be raised by the Sale of all or any Part of the said Stocks or Funds so standing to such Accounts as aforesaid in the Name of the Accountant General of the said Court, or of any other Stocks or Funds now standing or hereafter to stand in the Name of the said Accountant General, applicable to the Purchase of Estates to be conveyed to the said Dean and Chapter and their Successors, and shall be paid to the Receiver General of the said Dean and Chapter, or otherwise, as they shall direct to be by them applied in or towards the Purposes aforesaid, and in paying the Charges and Expenses incurred in and about the applying for and obtaining this Act; and that in like Manner it shall be lawful for the said Court of Chancery, upon Petition of the said Dean and Chapter to be preferred in a summary Way, at any Time or from Time to Time to direct the said Trustees of the said Six thousand three hundred and sixty Pounds Fourteen Shillings and Twopence Three Pounds *per Centum* Consolidated Bank Annuities, and any other Trustees or Trustee in whose Names or Name any Monies, Stocks, or Funds

and to purchase Leasehold Interest in a House in Dean's Yard.

Power to appropriate a certain Sum for the Purposes of this Act.

are or shall be invested applicable to be laid out in Lands to be conveyed to the said Dean and Chapter and their Successors, to levy and raise thereout all or any Part of the said Sum of Twenty-five thousand Pounds, and to pay the same to the Receiver General of the said Dean and Chapter, or otherwise as they shall direct, to be applied by them in or towards the Purposes aforesaid, and in paying the Charges and Expenses incurred in and about the applying for and obtaining this Act; and that where any Sum of Stock shall be directed to be sold for or towards the raising the Monies hereby directed to be raised, and where any Railway or other Company or Parties shall be liable to pay the Costs and Expenses attending the applying for and laying out the Produce of such Stocks in Land, then such Company or Parties shall pay all and every the Costs, Charges, and Expenses relating to the applying for and selling such Stocks for the Purposes of this Act, or a proportionate Part or Parts of such Costs, as the Case may be or the said Court may think fit, and it shall be lawful for the said Court upon any such Petition as aforesaid to direct the Taxation and Payment of such last-mentioned Costs, Charges, and Expenses accordingly; and that when any such Stock shall be so sold such Company or Parties respectively shall be thenceforth released from further Liability in respect thereof, or of the Fund from which the same shall have arisen, and from further Costs, Charges, or Expenses in relation thereto, other than such as are hereby made payable by them respectively; and that no such Sale shall be directed to be made without Notice of Application to the said Court for that Purpose being duly given to such Company or Parties respectively who shall be entitled to appear and be heard in relation thereto.

Provision for Payment of Costs of getting Monies out of Court, &c.

Receipt of the Receiver General of Dean and Chapter to be sufficient Discharge.

II. That the Receipt in Writing of the Receiver General for the Time being of the said Dean and Chapter and their Successors, or of such other Person or Persons as they may appoint to receive the same, shall be a good and sufficient Discharge to all Intents and Purposes whatsoever for any Monies payable under the Provisions herein contained which in and by such Receipt shall be acknowledged to be received: Provided nevertheless that no Part of the said Sum of Twenty-five thousand Pounds to be raised and paid as aforesaid shall be applied by the said Dean and Chapter for the Purposes of building as aforesaid, except with the Consent in Writing of the Ecclesiastical Commissioners for *England* first had and obtained.

Act not to affect Provisions of 4 & 5 Vict. c. 25. or any of the Powers

III. That nothing in this Act contained shall be deemed or taken as in any Manner altering, repealing, or affecting the said recited Act of the Fourth and Fifth Years of the Reign of Her present Majesty, Chapter Twenty-five, or any other the Powers or Provisions

under any of the said recited Acts, or the Rights, Powers, Privileges, or Authorities thereby given and conferred on the said Dean and Chapter, except so far as by this Act the same are expressly altered, and the said Dean and Chapter shall be at liberty to carry into execution the same in all respects as if this Act had not been passed; and that all and singular the Powers and Provisions of the first-recited Act as regards the granting Leases shall apply to the Messuages and Premises hereby authorized to be built, but nothing in this Act contained shall make it imperative on the said Dean and Chapter or their Successors to apply for and expend all or any Part of the said Sum of Twenty-five thousand Pounds in building, or for other the Purposes aforesaid; and further, that as regards any Monies which may be hereafter payable to the said Dean and Chapter or their Successors by the *Westminster* Improvement Commissioners, and which are now owing to the said Dean and Chapter, and all other Monies which may be payable to the said Dean and Chapter or their Successors, and which may be applicable by the said Dean and Chapter or their Successors for the Purposes of the said first-recited Act, the same shall, instead of being paid to the said Dean and Chapter, be paid by the Parties liable to pay the same into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in the Manner and for the Purposes mentioned and provided in the Lands Clauses Consolidation Act, 1845, for the Payment and Application of Monies payable to Parties under Disability; and the said Court of Chancery is hereby authorized on a summary Application and from Time to Time to make such Orders as may be necessary for effectuating the several Purposes aforesaid, and also to make Orders necessary for the Payment of the Costs, Charges, and Expenses relating to the Payment into Court by any Parties as aforesaid of any Monies coming to the said Dean and Chapter as aforesaid, or of any Application to the said Court for the Appropriation thereof under the Provisions aforesaid; but the said *Westminster* Improvement Commissioners shall not be required to pay any Costs, Charges, or Expenses to which they would not have been liable if this Act had not been passed.

possessed by Dean and Chapter under recited Acts.

Application of Monies hereafter paid to the Dean and Chapter by the Westminster Improvement Commissioners, &c.

IV. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all other Persons and Bodies Politic and Corporate, their Heirs, Successors, Executors, Administrators, and Assigns, (other than the said Dean and Chapter and their Successors,) all such Estate, Right, Title, and Interest, Claim and Demand, of, in, to, and out of the said Hereditaments and Premises which by this Act the said Dean and Chapter and their Successors are authorized to build upon as aforesaid, or any Part thereof, as they

General Saving.

they or any of them had before the passing of this Act, or could or might have held or enjoyed in case this Act had not been passed.

Act as printed by the Queen's Printers to be Evidence.

V. That this Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

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Printers to the Queen's most Excellent Majesty. 1851.