CHAPTER ix.

An Act for enabling the mayor and commonalty and citizens of the City of London to take lands with a view to the enlargement and improvement of the court house of the City of London Court and for other purposes. A.D. 1882.

[19th May 1882.]

WHEREAS the mayor and commonalty and citizens of the City of London (in this Act referred to as the Corporation) desire with a view to the enlargement and improvement of the court house of the City of London Court to take by compulsion if necessary certain lands in the parish of Saint Lawrence Jewry in the City of London and it is expedient that they be empowered accordingly:

And whereas the Corporation have caused a plan of the lands aforesaid with a book of reference thereto containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers thereof to be deposited with the clerk of the peace for the City of London (in this Act referred to as the deposited plan and book of reference):

And whereas the objects of this Act cannot be attained without the 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 as follows:

Short title.

1. This Act may be cited as the City of London Court Act 1882.

Power to take lands referenced.

2. Subject to the provisions of this Act the Corporation may enter on take and use the lands delineated on and described in the deposited plan and book of reference.

Period for compulsory purchase of lands.

3. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of three years from the passing of this Act.

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Powers of 10 & 11 Vict. c. cclxxx. &c. extended to this Act.
8 & 9 Vict. c. 18.
23 & 24 Vict. c. 106.

4. All the powers authorities restrictions provisions and savings contained in the London (City) Improvement Act 1847 (in this Act referred to as the Improvement Act of 1847) except the following sections thereof (namely) 3 19 42 to 45 and 50 to 55 (all inclusive) and in the Lands Clauses Consolidation Act 1845 except the provisions of the last-mentioned Act with respect to the purchase and taking of lands otherwise than by agreement and except sections 127 to 132 (both inclusive) and in the Lands Clauses Consolidation Acts Amendment Act 1860 shall extend and be applied to this Act with reference to the taking of lands by this Act authorised and shall for the purposes of this Act be of as full force and effect as if the same had been in this Act repeated and re-enacted mutatis mutandis and made applicable to the subject matter of this Act except only as far as the same powers authorities restrictions provisions and savings or any of them are repealed altered or varied by or are inconsistent with any of the provisions of this Act and for the purposes of the present Act the term "this Act" throughout the Improvement Act of 1847 shall have effect as meaning the present Act and for the same purposes the Improvement Act of 1847 shall operate subject and according to the following provisions (namely):

(1.) Schedule in that Act shall mean the deposited book of reference:

(2.) A jury summoned under section twenty-one of that Act shall be a special jury and shall be reduced to twenty-four in the manner in which special juries are now reduced in the High Court of Justice.

Incorporation of section 121 of 8 & 9 Vict. c. 18.

5. Notwithstanding anything in the Improvement Act of 1847 or this Act section 121 of the Lands Clauses Consolidation Act 1845 shall be incorporated with this Act and shall apply to and in the case of lands taken under this Act and "two justices" in that section shall have the same meaning as in the Improvement Act of 1847.

Review of registrar's taxation.

6. The settlement and determination of costs charges and expenses under this Act by the registrar of the court of mayor and aldermen of the City of London under section 27 of the Improvement Act of 1847 shall in every case be subject to review before the judge of that court on the application of either party.

Exclusion of section 91 of 8 & 9 Vict. c. 18.

7. Section 91 of the Lands Clauses Consolidation Act 1845 shall not apply to any case in which lands are taken under this Act.

Delivery of possession of land.

8. So much of section 34 of the Improvement Act of 1847 as provides that no such possession as is therein referred to shall be

delivered up until such payment or deposit of purchase or compensation money shall have been made as is directed by the Lands Clauses Consolidation Act 1845 shall not apply to or in the case of lands taken under this Act and no such possession shall be required until the purchase money or compensation has in case of a person under disability been deposited or paid as is directed by the Lands Clauses Consolidation Act 1845 and has in case of a person not under disability been paid to the claimant or if he is not ready or willing to complete the sale has been paid into the Bank of England in the name and with the privity of the Paymaster General to be placed to his account there to the credit of the claimant and to be subject to the control and disposition of the High Court of Justice Chancery Division and on such deposit being made the cashier of the bank shall give the Corporation a receipt for such money specifying therein for what purpose and to whose credit the same has been paid in.

Correction of errors omissions &c.

9. If any omission mis-statement or erroneous description is found to have been made of any lands or of any owner lessee or occupier of any lands described or intended to be described in the deposited plan or book of reference the Corporation may apply to two justices for the correction thereof after giving ten days notice to the owners lessees and occupiers of the lands affected by the proposed correction and if it appear to such justices that the omission mis-statement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission mis-statement or erroneous description and the certificate shall be deposited with the clerk of the peace for the City of London and shall be kept by him along with the other documents to which it relates and subject and according to the same provisions as apply to those other documents and thereupon the deposited plan or book of reference shall be deemed to be corrected according to the certificate and the Corporation may enter on take and use those lands accordingly.

Power to stop up roadway &c.

10. The Corporation may for the purposes of this Act stop up the roadway or gateway delineated on and described in the deposited plan and book of reference and thereupon the site and soil thereof shall by virtue of this Act vest in the Corporation freed and discharged from all public rights of way and other public rights in over or affecting the same.

Exemption from 18 & 19 Vict. c. 122.

11. Any building erected by the Corporation on land taken by them under this Act is hereby exempted from the operation of the First Part of the Metropolitan Building Act 1855.

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Power to apply general fund &c.

12. The Corporation may apply for the purposes of this Act all or any part of the general fund of the Sheriffs Court of the City of London (now called the City of London Court) or any other money belonging to them and not otherwise appropriated by Act of Parliament.

Powers exerciseable by common council &c.

13. The powers of the Corporation under this Act may be exercised by the mayor aldermen and commons of the City of London in common council assembled and an alderman of the City of London if and as long as he is a member of a committee of the common council appointed to act for the purposes of this Act shall be disqualified from acting as a justice for any purpose of this Act but he shall be so disqualified only if and as long as he is a member of such committee.

Expenses of Act.

14. The costs charges and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act shall be paid by the Corporation out of the general fund aforesaid.

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