That the Members of the First Board shall vacate their Offices on the First Thursday in September in the Year following the Date of this Provisional Order:

That the Electors for Members of the Drainage Board shall be the Persons in that Behalf mentioned in the said last-mentioned Act: Provided always, that no such Elector shall be entitled to vote, or exercise any Privilege as such, unless the Lands of which he is the Proprietor, or some Portion thereof, shall be rateable on account of the Works in the District, and he shall have previously paid all Rates or Arrears of Rates which may be payable by him in respect of any Drainage Rate for the aforesaid District.

In witness whereof, we, the said Commissioners of Public Works in Ireland, have hereunto caused our Common Seal to be affixed, this Twenty-ninth Day of March One thousand eight hundred and sixty-six.

E. HORNSBY, (Seal.)
Secretary.

Office of Public Works, Dublin.

CAP. LXII.

An Act to amend the Law relating to the Woods, Forests, and Land Revenues of the Crown. [6th *August* 1866.]

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:

Permanent Improvements.

Power to Treasury to direct Cost of Improvements to be charged to Capital and repaid out of Income.

1. Where at any Time after the passing of this Act any Operation, Work, Matter, or Thing, being within the Description of the Improvement of Land contained in Section Nine of the Act of the Session of the Twenty-seventh and Twenty-eighth Years of Her Majesty's Reign, Chapter One hundred and fourteen, (The Improvement of Land Act, 1864,) is effected or done in or with reference to any Part of the Possessions and Land Revenues of the Crown under the Management of the Commissioners of Her Majesty's Woods, Forests, and Land Revenues (hereafter in this Act referred to as the Commissioners of Woods), the Commissioners of Her Majesty's Treasury (hereafter in this Act referred to as the Commissioners of the Treasury) may, if they think fit, direct, with respect to any such Operation, Work, Matter, or Thing, that the Costs, Charges, and Expenses of and connected with the same shall be charged as a Principal Sum to the Account of the Capital of the Land Revenue of the Crown; but in every Case where such Direction is given the Principal Sum so charged shall be repaid out of the Income of the Land Revenue of the Crown in such Manner and within such Time as in each Case the Commissioners of the Treasury from Time to Time direct, so nevertheless that in every Case Provision be made for the complete Repayment of Principal out of Income as aforesaid within a Period not exceeding Thirty Years from the Time at which the Principal Sum becomes a Charge as aforesaid.

Mines.

Capitalization of Moiety of net Produce of Mines.

2. From and after the passing of this Act One Moiety of the net annual Income of the Land Revenue of the Crown received by the Commissioners of Woods in respect of any Coal, Ironstone, or Mineral, Stone, Slate, Clay, Gravel, Sand, or Chalk, or of any Substance obtained by mining, quarrying, or excavating, shall be carried to the Account of the Capital of the Land Revenue of the Crown, and the Residue of the net Amount received from the Sources in this Section mentioned shall be carried to the Account of the Income of such Land Revenue.

For the Ascertainment of such net Income as aforesaid there shall be deducted from the gross Amount received such Sum as the Commissioners of the Treasury from Time to Time think

think fit in respect of the Salary and Expenses of the Crown Mineral Inspector and Expenses of local Management, and for the Purposes aforesaid the Commissioners of Woods shall keep a separate Account (in such Form as the Commissioners of the Treasury from Time to Time direct) to be called "The Mines Account," which Account shall include all Receipts and Outgoings in respect of the Sources of Revenue in this Section mentioned, and which Account shall show the respective Amounts to be from Time to Time carried under this Section to the Capital and to the Income of the Land Revenue of the Crown.

Consideration for Mining Leases.

3. On granting a Lease of any Coal or other such Substance as in the last preceding Section mentioned, or any Authority or Licence for the working thereof, or any Licence for the making of an Underlease, Assignment, or other Disposition of the Interest of any Person under any such Lease, Authority, or Licence, the Commissioners of Woods, or One of them, may, if they or he think fit, with the Approval of the Commissioners of the Treasury, receive or agree to receive (in addition to any Rent, Royalty, or Reservation) such Sum of Money as seems to them or him sufficient Consideration for such Lease, Authority, or Licence.

New Forest and Forest of Dean.

Repeal of Sect. 9. of 14 & 15 Vict. c. 76.

4. From and after the passing of this Act Section Nine of the Act of the Session of the Fourteenth and Fifteenth Years of Her Majesty's Reign (Chapter Seventy-six), "to extinguish the Right of the Crown to Deer in the *New Forest*, and to give Compensation in lieu thereof, and for other Purposes relating to the said Forest," shall be and the same is hereby repealed; but nothing herein shall affect any Licence for any of the Purposes in that Section mentioned granted before the passing of this Act.

Power to Commissioners of Woods, with Approval of Treasury, to grant Licences to hunt, &c. over New Forest and Forest of Dean.

5. From and after the passing of this Act the Commissioners of Woods, or One of them, on behalf of Her Majesty, may from Time to Time, with the Approval of the Commissioners of Her Majesty's Treasury, grant Licences to any Person or Persons to hunt, hawk, fish, and fowl on and over all or any Parts or Part of the *New Forest* and *Forest of Dean* respectively the Soil and Freehold whereof are for the Time being vested in the Crown, subject and according to the Provisions for the Time being in force relative to Licences by the said Commissioners or either of them in exercise of any Powers by Law vested in them or him to grant Licences to hunt, hawk, fish, or fowl upon or over any Forest belonging to Her Majesty, and under the Management of the said Commissioners or either of them; provided always, that notwithstanding anything in this Act contained, no such Licence shall be deemed to be or construed to operate as or in the Nature of a Lease or Demise.

Epping Forest.

Transfer of Management of Forestal Rights in Epping Forest to Commissioners of Works.

6. From and immediately after the Thirty-first Day of *December* One thousand eight hundred and sixty-six the Commissioners of Her Majesty's Works and Public Buildings for the Time being shall perform and exercise the Duties and Powers of Management, and all other Duties and Powers, which if this Act had not been passed would have been performed and exercised by the Commissioners of Woods of and in relation to the Forestal Rights and Interests of the Crown in, to, or over that Portion of *Waltham Forest* usually called *Epping Forest*.

Transfer to Board of Trade.

Transfer of Management of Foreshore to Board of Trade.

7. From and immediately after the Thirty-first Day of *December* One thousand eight hundred and sixty-six all such Parts and Rights and Interests as then belong to Her Majesty in right of the Crown of and in the Shore and Bed of the Sea, and of every Channel, Creek, Bay, Estuary, and of every navigable River of the United Kingdom, as far up the same as the Tide flows (and which are herein-after for Brevity called the Foreshore), except as in this Act provided, shall, subject to the Provisions of this Act, and subject also to such public and other Rights as by Law exist in, over, or affecting the Foreshore or any Part thereof, be and the same are hereby transferred from the Management of the Commissioners of Woods to, and thenceforth the same shall be under the Management of, the Board of Trade.

8. The

Board of Trade to have same Powers as Commissioners of Woods.

8. The Board of Trade shall have and may exercise all the Powers and Authorities, Rights and Privileges, whatsoever with regard to the Foreshore which the Commissioners of Woods now have or are entitled to exercise with respect to the same.

Execution of Deeds, &c.

9. All Deeds and Instruments made by the Board of Trade under this Act shall be executed and signed by One of the Secretaries or Assistant Secretaries of the Board of Trade; but nothing in this Act or in any such Deed or Instrument shall extend to charge personally the Officer of the Board of Trade executing or signing the same.

Application to Board of Trade of Parts of 10 G. 4. c. 50.

10. The following Provisions of the Act of the Tenth Year of the Reign of King *George* the Fourth (Chapter Fifty), "to consolidate and amend the Laws relating to the Manage- "ment and Improvement of His Majesty's Woods, Forests, Parks, and Chases, of the "Land Revenue of the Crown within the Survey of the Exchequer in *England*, and of the "Land Revenue of the Crown in *Ireland*, and for extending certain Provisions relating to "the same to the Isles of *Man* and *Alderney*," shall extend and apply, *mutatis mutandis*, to the Board of Trade, their Deeds, Acts, Proceedings, Officers, and Servants under this Act, as if those Provisions were here repeated, with the Substitution therein of the Board of Trade for the Commissioners of Woods, and of the Foreshore under the Management of the Board of Trade for the Possessions and Land Revenues of the Crown to which that Act relates, namely,—Sections Seventy-four, Seventy-seven, Eighty-one to Eighty-five, and Ninety to Ninety-four (all inclusive)—save that such Consent of any Authority or Inrolment of any Instrument as is in any Case required by any of those Sections shall not be requisite under this Act.

Application to Board of Trade of Sect. 5. of 16 & 17 Vict. c. 56.

11. The Provisions of Section Five of the Act of the Session of the Sixteenth and Seventeenth Years of Her Majesty's Reign (Chapter Fifty-six), "to facilitate the Redemp- "tion of certain Charges on the Hereditary Possessions and Land Revenues of the Crown, "and to make other Provisions in regard to the Management of such Hereditary Posses- "sions and Land Revenues," as amended by this Act, shall extend and apply to the Board of Trade, their Deeds, Acts, Proceedings, Officers, and Servants, under this Act, as if that Section were here repeated, with the Substitution therein of the Board of Trade for the Commissioners of Woods,—save that such Consent of any Authority as is in any Case required by that Section shall not be requisite under this Act.

Monies received by Board of Trade under this Act to be paid into the Exchequer, and to form Part of Consolidated Fund.

12. All Money which is received by the Board of Trade in consequence of the Exercise of any of the Powers or Authorities, Rights or Privileges, conferred on them by this Act, and which if this Act had not been passed would have been carried by the Commissioners of Woods as annual Income to the Consolidated Fund of the United Kingdom, in this Act called the Consolidated Fund, shall be paid by the Board of Trade into the Receipt of Her Majesty's Exchequer, and shall be carried to and form Part of the Consolidated Fund.

Monies received by Board of Trade, which would have been applied as Capital by Commissioners of Woods, to go towards Reduction of National Debt.

13. All Money which is received by the Board of Trade in consequence of the Exercise of any of the Powers, Authorities, Rights, or Privileges last aforesaid, and which if this Act had not been passed would have been applied as Capital by the Commissioners of Woods, shall be applied towards the Reduction of the National Debt in such Manner as the Commissioners of the Treasury from Time to Time direct; and a Copy of every Minute or Warrant of the Commissioners of the Treasury directing any such Application shall be laid before both Houses of Parliament.

Compensation to Crown to be determined by Arbitration.

14. The Amount of the Compensation to be paid to the Land Revenue of the Crown for the Transfer effected by this Act of the Rights and Interests of the Crown in the Foreshore shall be determined by Two Arbitrators appointed, one by the Commissioners of the Treasury, and the other by the Commissioners of Woods, or, in case of the Disagreement of the Arbitrators, by an Umpire appointed by the Lord Chancellor of *Great Britain* before the Arbitrators enter on the Reference.

Mode in which Compensation

15. The Amount of the Compensation so determined shall be made good to the Capital of the Land Revenue of the Crown after the making of the Award of the Arbitrators or Umpire

Umpire in either or both, or partly in one and partly in the other, of the following Modes, as the Commissioners of the Treasury from Time to Time direct; namely, to be made good.

(1.) By the Release (within Six Months after the making of such Award) to the Land Revenue of the Crown of any Debt due therefrom to the Consolidated Fund, which Release shall be made by a Warrant of the Commissioners of the Treasury:

(2.) By the Transfer (within Six Months after the making of the said Award) to the Consolidated Fund of the Charge for any Pensions, Annuities, or other annual Payments payable out of the Land Revenue of the Crown, which shall be specified in a Warrant of the Commissioners of the Treasury, and on the issuing of such Warrant the same shall become and are hereby charged on the Consolidated Fund, and thereupon the Land Revenue of the Crown shall become and is hereby discharged therefrom (every such Warrant being inrolled in Her Majesty's Court of Exchequer at *Westminster*):

The Balance (if any) of the Amount of Compensation so determined (the Amount of which Balance shall be specified in a Warrant of the Commissioners of the Treasury) shall be charged on the Consolidated Fund, and shall be payable thereout at such Periods and in such Proportions as the Commissioners of the Treasury from Time to Time by Warrant direct, but so nevertheless that the whole of such Balance (if any) shall be paid within the Space of Ten Years after the making of the said Award.

A Copy of every Warrant made in pursuance of the present Section shall be laid before both Houses of Parliament.

16. With a view to the Determination of the Amount of the Debt now due from the Land Revenue of the Crown to the Consolidated Fund, the Arbitration directed by the Acts described in the First Schedule to this Act, for determining the Value of the Property thereby transferred (forming Part of the Possessions and Land Revenues of the Crown), shall be had forthwith after the passing of this Act. Immediate Valuation of Crown Land taken for Public Offices.

17. Nothing in this Act shall apply to the Portions of the Foreshore described in the Second Schedule to this Act, or to any other particular Portions of the Foreshore with respect to which the Commissioners of Woods are by any Act specially empowered to make any Disposition or Arrangement of or concerning the Rights of the Crown therein; and every such Act shall continue to operate, and every Disposition or Arrangement made or to be made thereunder shall have the like Validity, Effect, and Consequences as if this Act had not been passed. Exception of Portions of Foreshore described in Second Schedule, &c.

18. Nothing in this Act shall apply to any Portion of the Foreshore in relation to which any Instrument has been before the First Day of *January* One thousand eight hundred and sixty-seven made or executed by the Commissioners of Woods, or either of them, in the due Exercise of any Powers for the Time being by Law vested in them or him. Exception of Portions of Foreshore sold, &c.

19. Where before the First Day of *January* One thousand eight hundred and sixty-seven any Money has been paid under any Act into the Bank of *England* or any other Bank in relation to any Portion of the Foreshore, then such Money and Portion of the Foreshore shall continue and may be dealt with as if this Act had not been passed. Exception of Portions of Foreshore where Money paid into Court, &c.

20. Nothing in this Act shall apply to any Portion of the Foreshore in front of or immediately adjacent to any Lands whereof or whereto Her Majesty, or any Person or Body in trust for Her Majesty, is on the Thirty-first Day of *December* One thousand eight hundred and sixty-six seised or entitled in possession, reversion, or remainder, or which Lands on the same Day are the Property of any Department of Her Majesty's Government, or in the Possession of any such Department or of any Officers thereof; and every such Portion of the Foreshore shall continue vested, and be subject to the Exercise therein of the same Powers, Authorities, Rights, and Privileges, as if this Act had not been passed; and nothing in this Act contained or to be done by virtue of this Act shall take away, restrict, or diminish any Power or Right by Law vested in the Crown to use the Foreshore for the Purposes of any Salmon Fishings which may belong to the Crown. Exception of Portions of Foreshore fronting Crown Property.

21. Nothing

Exception of Mines, &c. under Foreshore.

21. Nothing in this Act shall apply to any Beds, Seams, or Veins of Coal or Stone or any Metallic or other Mineral Substances in or under the Foreshore, or to any Mines or Quarries thereof, and the same shall continue and be vested, held, and enjoyed as if this Act had not been passed.

Power for Persons interested in Mines, &c. to enter on Foreshore, &c.

22. Subject to the Provisions of this Act, all Persons for the Time being entitled, in right of or under the Crown, to or to the Management of any Beds, Seams, Veins, Mines, or Quarries as aforesaid in or under the Foreshore, or in or under any Lands immediately adjacent thereto, and their respective Tenants, may take into possession, or use or pass through, over, or under, any Portion of the Foreshore under the Management of the Board of Trade in order to do all or any of the following Things; namely,

To make or sink any Pits, Shafts, Adits, Drifts, Levels, Drains, Watercourses, Pools, or Embankments;

To make, lay, place, use, and repair any Spoil Banks, Roads, Ways, Brooks, and Banks;

To make, erect, and repair any Lodges, Shafts, Steam and other Engines, Buildings, Works, and Machinery;

To do any such other Acts as are for the Time being necessary or convenient for working, searching for, digging, raising, carrying away, dressing, or making merchantable the Coal, Stone, or other Substances aforesaid;

Giving to the Board of Trade at least Two Months previous Notice in Writing of the Intention to exercise the Powers of this Section (stating the Nature, Extent, and Duration of the proposed Interference with the Foreshore), and doing as little Damage as may be in the Exercise of those Powers, and making full Compensation to all Persons interested for all Damage sustained by them by reason or in consequence of the Exercise of such Powers, the Amount and Application of such Compensation to be determined in manner provided by The Lands Clauses Consolidation Act, 1845, The Lands Clauses Consolidation (*Scotland*) Act, 1845, or The Railways Act (*Ireland*), 1851, and any Act amending those Acts respectively (as the Case requires), for Determination of the Amount and Application of Compensation for Lands taken or injuriously affected.

Protection of Structures on or near Foreshore.

23. Nothing in the foregoing Provisions shall authorize any Person, and it shall not be lawful for any Person, to sink, drive, or make any Pit, Shaft, Adit, Drift, Level, Drain, Watercourse, Pool, or Embankment, so as to injure, weaken, or endanger, or be likely to injure, weaken, or endanger, any Pier or other Structure on or near the Foreshore.

Provision to be made for Safety of Tenants, &c.

24. The Persons for the Time being exercising the Powers conferred by the foregoing Provisions, or any of them, shall make and maintain all Works and Conveniences necessary or proper for the Safety and Accommodation of the Public.

Act not to increase Power of the Crown over the Foreshore.

25. Nothing in this Act contained shall extend or increase or be construed to extend or increase the Powers or Authorities, Rights or Privileges, of the Crown over the Foreshore, or any Part thereof, but as between the Crown and all other Persons such Powers and Rights shall continue as the same existed before the passing of this Act.

Arbitrations.

Power for Arbitrators, &c. to summon Witnesses.

26. Where any Matter in difference, whether being the Subject of a pending Suit in any Court or not, or any Issue in any such Suit, is referred to Arbitration under Section Ninety-four of the said Act of the Tenth Year of the Reign of King *George* the Fourth, or under Section Five of the said Act of the Session of the Sixteenth and Seventeenth Years of Her Majesty's Reign, or under such Sections or either of them as applied by this Act, the Arbitrators or Umpire may, on the Application of either Party, by Summons require any Person to attend before them or him to be examined as a Witness, or to bring before them or him any Books, Papers, Maps, Plans, and Writings in his Possession or Control relating to the Subject of the Reference; and every Person so summoned shall be bound to obey the Summons on a reasonable Sum being paid or tendered to him for his Expenses.

27. The

27. The Arbitrators or Umpire may administer an Oath or an Affirmation (where an Affirmation in lieu of an Oath would be admitted in a Court of Justice) to any Person examined, and may take the Affidavit or Declaration of any Person. Power to examine on Oath, &c.

28. If any Person on whom any such Summons is served (either personally or by Delivery at his last known or usual Place of Abode or Business) fails to obey the same without reasonable Excuse, or refuses to be sworn or make Affirmation, or to answer any lawful Question put to him, he shall be liable on summary Conviction to a Penalty not exceeding Ten Pounds, without Prejudice to any other Remedy against him. Penalty for Non-attendance, &c.

29. If any Person on any such Examination on Oath or Affirmation or in any such Affidavit or Declaration wilfully gives false Evidence he shall be deemed guilty of Perjury. Penalty for giving false Evidence.

Claremont.

30. It shall be lawful for Her Majesty to retain and have the Use and Enjoyment, during Her Life or Pleasure, of the Mansion near *Esher* called *Claremont*, and its Fixtures and Furniture, with the Park, Pleasure Grounds, and Gardens thereto belonging (containing by Estimation Three hundred and thirty-two Acres or thereabouts), and certain Plantations and Lands (containing by Estimation One hundred and thirty-two Acres or thereabouts), with a Spring of Water rising therein (from which the said Mansion is supplied with Water), and the Waste Lands Parcel of the Manors of *Esher* and *Milbourne* or *Waterville Esher*. Power to Her Majesty to retain Claremont House with Park, &c. for Her Life.

General Saving.

31. Saving to all Persons, Bodies Politic or Corporate, and their respective Heirs, Executors, Administrators, Successors, and Assigns, (other than Her Majesty, Her Heirs and Successors, in right of the Crown,) all such Estates, Rights, Titles, Claims, and Demands whatsoever as they respectively have at the passing of this Act, or might or could have had if this Act had not been passed. Saving of Rights of private Persons, &c.

Short Title.

32. This Act may be cited as The Crown Lands Act, 1866. Short Title.

The FIRST SCHEDULE.

Acts relating to Crown Land taken for Public Offices.

24 & 25 Vict. c. 88. -	An Act to vest in the Commissioners of Her Majesty's Works and Public Buildings a Portion of Saint James's Park as a Site for Public Offices.
25 & 26 Vict. c. 74. -	An Act to enable the Commissioners of Her Majesty's Works to acquire additional Lands for the Purposes of the Public Offices Extension Act of 1859, by way of Exchange for Land already acquired but not wanted for the Purposes of the said Act.

The SECOND SCHEDULE.

Portions of Foreshore excepted from Transfer to Board of Trade.

Portions of Foreshore.	Acts relating to those Portions of Foreshore.
Foreshore of Thames - -	The Thames Conservancy Act, 1857.
Foreshore of Tees - -	The Tees Conservancy Act, 1857.
Foreshore of County Palatine of Durham.	21 & 22 Vict. c. 45.—An Act to amend the Provisions of an Act of the Sixth Year of King William the Fourth, for separating the Palatine Jurisdiction of the County Palatine of Durham from the Bishoprick of Durham, and to make further Provision with respect to the Jura Regalia of the said County.

CAP. LXIII.

An Act to amend the Acts relating to the intended Courts of Justice.

[6th *August* 1866.]

28 & 29 Vict. c. 48.
28 & 29 Vict. c. 49.

'WHEREAS the Courts of Justice Commissioners (appointed under Section Four of The Courts of Justice Building Act, 1865,) have advised the Commissioners of Her Majesty's Treasury that it is desirable that Part of the Money provided by Parliament for the Purposes of The Courts of Justice Concentration (Site) Act, 1865, should be applied in or towards the Purchase of Lands adjacent to Lands prescribed in that Act, for the widening of *Carey Street*, for improving the Access of Light and Air to the intended Building for the Courts of Justice, and for such other Objects as the Commissioners of Her Majesty's Treasury think advantageous in relation to the intended Concentration of the Courts of Justice:

'And whereas the Expense thereof is not included in the Estimate given in pursuance of Section Nineteen of The Courts of Justice Concentration (Site) Act, 1865, and therefore cannot be defrayed out of the Money already provided by Parliament for the Purposes of that Act; and the Courts of Justice Commissioners have recommended that any Money applied as aforesaid be repaid by means of the Taxation of Suitors of the Courts (other than the Court of Chancery) to be accommodated in the said Building:'

Be it therefore 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:

As to Advance by Treasury for Purchase.

1. Any Money required to be applied as aforesaid may, if the Commissioners of Her Majesty's Treasury think fit, be paid in the first instance out of the Money already provided by Parliament for the Purposes of The Courts of Justice Concentration (Site) Act, 1865.

As to Advance to be repaid by Rent of Courts Fee.

2. Any Advance made under the Authority of this Act, with Interest thereon, shall be repaid by means of the Contribution to be levied under The Courts of Justice Building Act, 1865, on Suitors (other than those of the Court of Chancery) using the said Building, and the Redemption Annuity to be created, and the Rent of Courts Fee to be taken, under the same Act, as nearly as may be as if such Advance formed Part of the Advances authorized by that Act.

Short Title.

3. This Act may be cited as The Courts of Justice Act, 1866.