ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

****

C A P. LVIII.

An Act to amend the Acts relating to the Hereditary Land Revenues of the Crown in *Scotland*.

[9th *September* 1835.]

WHEREAS an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to extend the Provisions of an Act of the Fifty-* 6 G. 4. c. 17.
ninth Year of His late Majesty, concerning the Disposition of certain Real and Personal Property of His Majesty, His Heirs and Successors: And whereas an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to* 10 G. 4. c. 50.
consolidate and amend the Laws relating to the Management 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: And whereas an Act passed in the Second Year of the Reign of His present Majesty, intituled *An Act for* 2 W. 4. c. 1.
uniting the Office of the Surveyor General of His Majesty's Works and Public Buildings with the Office of the Commissioners of His Majesty's Woods, Forests, and Land Revenues; and for other Pur-

poses

poses relating to the Land Revenues: And whereas an Act passed in the Second and Third Years of the Reign of His present Majesty, intituled *An Act to authorize the Hereditary Land Revenues of the Crown in* Scotland *being placed under the Management of the Commissioners of the Land Revenues:* And whereas an Act passed in the Third and Fourth Year of His present Majesty, intituled *An Act to extend and enlarge the Powers of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in relation to the Management and Disposition of the Land Revenue of the Crown in* Scotland: And whereas Doubts have arisen, in consequence of the said Acts, as to the Powers and Authorities of the Commissioners of His Majesty's Treasury in relation to the Recovery, Management, Superintendence, and Disposition of the Interests of His Majesty, His Heirs and Successors, in right of His Crown, as ultimus Hæres, and in Cases of Bastardy, in *Scotland;* and it is expedient that such Doubts should be removed: Be it therefore declared and 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,

2 & 3 W. 4. c. 112.

3 & 4 W. 4. c. 69.

Powers to be vested in the Lord High Treasurer or the Commissioners of the Treasury.

That all Powers and Authorities for the ascertaining and recovering, and for the Management, Superintendence, and Care of all Rights and Interests of His Majesty, His Heirs and Successors, in right of His Crown, in *Scotland,* as ultimus Hæres, or in Cases of Bastardy, or by reason of any Forfeiture whatsoever, shall be and are hereby declared to be vested in the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, in the same Manner and to the same Extent as such Powers and Authorities were vested in the Lord High Treasurer or the Commissioners of the Treasury for the Time being prior to the passing of any of the said recited Acts; any thing in the said Acts or either of them to the contrary notwithstanding.

All former Acts of Commissioners of the Treasury to be valid.

II. And be it further declared and enacted, That all Grants heretofore made, and all Acts, Matters, and Things, done by the Commissioners of His Majesty's Treasury, or any Three or more of them, in relation to any such Rights and Interests in *Scotland,* since the passing of the said recited Acts of the Second and Third Years and of the Third and Fourth Years of the Reign of His present Majesty, in exercise of the Powers and Authorities vested in them by Law or Usage prior to the passing of any of the said Acts, shall be and are hereby declared to be good, valid, and effectual to all Intents and Purposes, any thing in the said recited Acts or either of them, or of any other Act or Acts of Parliament, to the contrary notwithstanding.

His Majesty may grant Sites for Churches, &c. out of Land Revenues in Scotland.

III. And whereas the said last-recited Act does not enable His Majesty to grant any Land or Building, Part of the Possessions and Land Revenues of the Crown in *Scotland,* for the Purposes specified in the said recited Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth with respect to the Possessions and Land Revenues of the Crown to which that Act relates; and it is desirable that His Majesty, His Heirs and Successors, should be

at liberty to grant any Lands or Hereditaments, Part of the Possessions and Land Revenues of the Crown in *Scotland*, for any of the Purposes herein mentioned, whenever He or They shall be graciously pleased so to do; be it therefore enacted, That the King's Majesty, His Heirs and Successors, shall at any Time hereafter have full Power and Authority, out of the Possessions and Land Revenues of the Crown in *Scotland*, to give and grant to and vest in any Body Politic or Corporate, or any Person or Persons whomsoever, and their Heirs and Successors respectively, for such Estate or Interest therein as to His Majesty, His Heirs and Successors, shall seem meet, any Building proper to be used as or converted into, or any Ground proper for the Site of, any Church or Chapel, with or without a Cemetery or Burial Ground thereto, or any Ground proper for a Cemetery or Burial Ground to any Church or Chapel, and any House with its Appurtenances, and with or without a Garden thereto, proper for the Residence of the Spiritual Person who may serve such Church or Chapel, or any Ground proper for the Site or Sites of any such Residence, or of any Parochial or District School, with or without a Garden thereto, any thing in the said Act of the Third and Fourth Years of the Reign of His present Majesty, or any other Law or Statute, to the contrary in anywise notwithstanding; and such Body or Bodies Politic or Corporate, or Person or Persons, and their Heirs, Successors, Executors, or Administrators, shall have full Capacity and Ability to take, hold, and enjoy the same; and whenever it shall be the Pleasure of His Majesty, His Heirs or Successors, to make a Grant for any of the Purposes aforesaid, it shall be lawful for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, to issue a Warrant under his or their Hand or Hands to any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, which Warrant shall be exempt from any Stamp Duty whatsoever: Provided always, that nothing in this Act contained shall extend or be construed to extend to enable His Majesty, His Heirs or Successors, to grant more than Five Statute Acres in any One Grant for any of the Purposes aforesaid, or to grant any Premises in any One Instance which shall exceed in Value the Sum of One thousand Pounds; and that all such Grants shall be carried into effect by Charters and other Instruments, according to the Law and Practice of *Scotland*, and not otherwise.

Limitation of Grants.

IV. And be it further enacted, That a Minute or Docket of every such Grant or Warrant shall be entered and preserved by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in their Office.

Minutes to be preserved.

V. Provided always, and be it further enacted, That the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings for the Time being shall, in every Report which shall be made by them to the King's most Excellent Majesty and to both Houses of Parliament touching or concerning the Land Revenue of the Crown, from and after the passng of this Act, certify and report every Grant which shall have been made under and

Commissioners of Woods, in their Reports, to certify all Grants made under this Act.

and by virtue of the Provisions of this Act since the Time of the making their last preceding Report, and to whom and for what Purpose the same shall have been made, and what Land or Ground shall be comprised therein, and all other Particulars relating thereto.

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