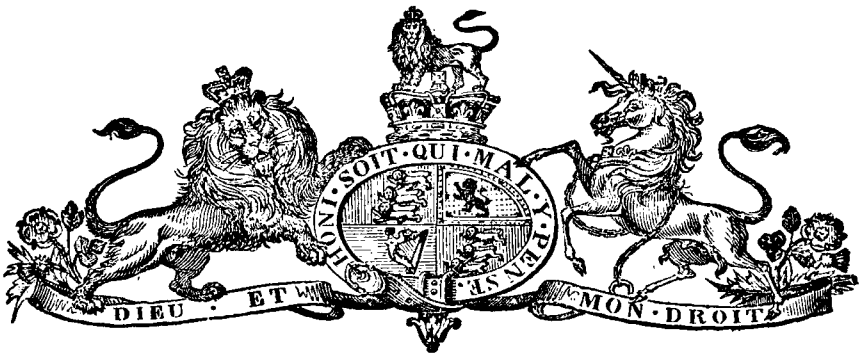


ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

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CAP. XL.

An Act to authorize the Commissioners of Her Majesty's Works and Public Buildings to acquire Lands for the Purposes of the New Palace at *Westminster*, and to construct an Embankment on the North Shore of the River *Thames* in the Parish of *Saint John the Evangelist, Westminster*. [15th *July* 1867.]

WHEREAS it is expedient for the Security of Her Majesty's New Palace at *Westminster* (commonly called the Houses of Parliament), and for the Improvement of the Approaches thereto, and of the Embankment in front thereof, that the additional Lands described and shown in the Plans herein-after mentioned should be acquired and appropriated in manner herein-after mentioned; but such Acquisition and Appropriation cannot be effected without the Authority of Parliament:

And whereas duplicate Plans describing the Situation of the said Lands (herein-after referred to as the prescribed Lands), with a Book of Reference thereto containing the Names of the Owners and Lessees or reputed Owners and Lessees, and of the Occupiers thereof,

Deposit of Plans and Books of Reference descriptive of Site.

thereof, have been deposited with the Clerk of the Peace for the County of *Middlesex* at his Office at the Sessions House, *Clerkenwell*, and with the Clerk of the *Westminster* District Board of Works:

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:

Acquisition of Site.

Purposes of the Act.

1. The Purposes of this Act are the Acquisition of Lands for the Purposes of the New Palace at *Westminster*, and the Construction of a further Embankment of the River *Thames* in connexion therewith, and doing such Works and Things as are or may be necessary for or conducive to the Attainment of the above Purposes, or either of them, or incidental thereto.

Commissioners of Her Majesty's Works as incorporated by 15 & 16 Vict. c. 28. to carry this Act into effect.

2. The Commissioners of Her Majesty's Works and Public Buildings as incorporated by the Act of the Fifteenth and Sixteenth Years of Her present Majesty, Chapter Twenty-eight, and who are herein-after referred to as the Commissioners, shall have the Charge of carrying this Act into effect; but all the prescribed Lands, as and when they shall be acquired for or become appropriated to the Purposes of this Act, shall be conveyed to Her Majesty, Her Heirs or Successors, for the Purposes of this Act and the herein-before mentioned Act of the Fifteenth and Sixteenth *Victoria*, Chapter Twenty-eight, or for such other Purposes of public Utility as may be sanctioned by Parliament; and the Commissioners shall have Power to sell, lease, or otherwise dispose of any Parts of the prescribed Lands which may not be required for the Purposes of this Act, in manner by the said Act of the Fifteenth and Sixteenth Years of Her Majesty authorized and prescribed, and to convey, lease, and otherwise dispose of all the Estate and Interest of Her Majesty, Her Heirs or Successors, in the Land so sold, leased, or disposed of.

Power to Commissioners to purchase Lands.

3. The Commissioners may, out of any Monies which have been or may be placed at their Disposal by Parliament for that Object, purchase, acquire, take, and use the whole or any Part of the prescribed Lands.

Commissioners to make good to Parishes of Saint Margaret and

4. And whereas by reason of taking the prescribed Lands or Parts thereof for the Purposes of this Act there may be Deficiencies in the Produce of the Assessments for the Relief of the Poor and making certain Payments directed by Act of Parliament to be made out

out of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and in respect of the Property by Law rateable to the Relief of the Poor of the Parishes of *Saint Margaret* and *Saint John the Evangelist, Westminster*: And whereas the Rates of the said Parishes have been mortgaged, and are now charged with and subject to the Repayment of certain Sums amounting in the aggregate to Twenty-three thousand three hundred and twenty-eight Pounds or thereabouts, Principal Money with Interest thereon, and it is expedient that Provision should be made for a Contribution for a limited Time by the said Commissioners in aid of the Poor Rates and other Rates to be raised and levied as herein-before mentioned: Be it enacted, That the said Commissioners shall from and after the Twenty-fourth Day of *June* One thousand eight hundred and sixty-nine yearly and every Year until the Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, by and out of such Monies as Parliament may from Time to Time place at their Disposal for that Purpose, pay and make good to the said Parishes such Sum or Sums of Money not exceeding the Sum of Four hundred and three Pounds *per Annum* as shall be deficient in respect of the said Rates by reason or means of taking the prescribed Lands or any Part thereof for the Purposes of this Act, such Deficiency to be calculated and ascertained with reference to the Sum of Four hundred and three Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and sixty-six in respect of Houses and Buildings which may be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of this Act, an Account of which Deficiencies shall from Time to Time be made out and delivered to the Commissioners, verified by the Collector or other proper Officer of the said Parishes in such Manner and Form as the Commissioners shall direct, and no Payment shall be made until such Account has been delivered, duly verified, to the said Commissioners, and approved of by them or on their Behalf.

Saint John the Evangelist Deficiencies in Rates.

5. The First Payment in respect of such Deficiency, so ascertained and verified as aforesaid, shall be made on the Twenty-fourth Day of *June* One thousand eight hundred and seventy, and the Receipt of the Treasurer for the Time being of the said Parishes or of the Collector for the Time being of the said Rates shall be a good and sufficient Discharge to the Commissioners for such Payment: Provided always, that in case any Act shall be passed before the said Twenty-ninth Day of *September* One thousand eight hundred and seventy-three, rendering Crown or Public Property, or the Owners or Occupiers thereof, liable to be assessed

When First Payment to be made.

assessed to the Poor Rate and other Rates to be raised and levied as herein-before mentioned, the Contribution or Payments by this Act provided for in respect of such Deficiency in the Poor Rates and other Rates as aforesaid shall thereupon cease and be no longer made or paid.

Commissioners to make good Deficiency in Rector's Rate, made under 1 G. 2. c. 15., and pay an annual Sum to Rector of Saint John the Evangelist for Loss of Fees, &c.

6. And whereas by reason of taking the prescribed Lands for the Purposes of this Act there will be Deficiencies in the Produce of the Assessments made and to be made pursuant to a certain Act of Parliament of the First Year of King *George* the Second, Chapter Fifteen, intituled *An Act for making Provision for the Rector of the new Church situate near* Millbank *in the Parish of* Saint Margaret, Westminster, *and for other Purposes therein mentioned*, for raising yearly and every Year One hundred and twenty-five Pounds towards a further Provision for the Rector of the Parish of *Saint John the Evangelist*, as therein mentioned: And for the Purpose of providing against any Deficiency in the Rate referred to in the last-mentioned Act which may be occasioned as aforesaid, be it enacted, That the said Commissioners shall, out of such Monies as have been or may be placed at their Disposal by Parliament for that Purpose, annually make good and pay the Deficiency arising in the said Rate by reason of any Property having been taken or used for the Purposes of this Act, and the said Commissioners shall pay to the Collector appointed by the Vestry of *Saint John the Evangelist* to collect the said Rate, or other proper Authority, all such Deficiency; and in the event of any Difference as to the Amount of such Deficiency, the same shall be definitively settled by an Arbitrator appointed by Her Majesty's Attorney General for the Time being; and the said Commissioners shall also, out of such Monies as aforesaid, pay to the Rector for the Time being of the said Parish the annual Sum of Two Pounds for the Loss of Oblations, Surplice Fees, and other Customary Payments that may be taken away in consequence of carrying into effect the Purposes of this Act, such last-mentioned Sum of Two Pounds to be paid to the Rector for the Time being of the said Parish of *Saint John* by half-yearly Instalments of Twenty Shillings each on the Twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in each and every Year, the first half-yearly Payment to be made on the Twenty-fourth Day of *June* One thousand eight hundred and sixty-nine.

Power to Commissioners to enter upon Lands.

7. The Commissioners, their Surveyors, Officers, and Workmen, may at all reasonable Times in the Daytime, upon giving Twenty-four Hours previous Notice in Writing, enter into and upon any of the prescribed Lands, for the Purpose of surveying or valuing the same.

8. "The

8 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

8. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except as hereby expressly varied, be incorporated with this Act; but,

(1.) There shall not be incorporated with this Act the Sections and Provisions of "The Lands Clauses Consolidation Act, 1845," herein-after mentioned; that is to say, Section Sixteen, whereby it is provided that the Capital is to be subscribed before the compulsory Powers are to be put in force; Section Seventeen, whereby it is provided that the Certificate of the Justices shall be Evidence that the Capital has been subscribed; or the Provisions relating to affording Access to the Special Act:

(2.) In the Construction of this Act and the said incorporated Acts this Act shall be deemed to be the "Special Act," and the Commissioners shall be deemed to be "the Promoters of the Undertaking:"

(3.) The Term "Sheriff," used in the Provisions of "The Lands Clauses Consolidation Act, 1845," relating to the Reference to a Jury, shall be deemed to apply to the High Bailiff of the City and Liberty of *Westminster* or his Deputy:

(4.) The Bond required by Section Eighty-five of "The Lands Clauses Consolidation Act, 1845," shall be under the Common Seal of the Commissioners, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

9. Upon the Purchase by the Commissioners of the prescribed Lands (save as herein-after provided) all Rights of Way, Rights of Mooring, Rights of laying down or of continuing any Pipes, Sewers, or Drains on, over, through, or under the prescribed Lands or any Part thereof, including so much of the Bed and Foreshore of the River *Thames* as is within the Limits of the prescribed Lands, and all other Rights or Easements in or relating to such Lands or any Part thereof, shall be extinguished; and all the Soil of such Ways, Bed, and Foreshore, and the Property in the Pipes, Sewers, or Drains, shall vest in Her Majesty, Her Heirs and Successors, for the Purposes of this Act, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Commissioners such Compensation, if any, as they may be entitled to for any Rights or Property of which they may be deprived in pursuance of this Section, the Amount of such Compensation to be determined in manner provided by the said "Lands Clauses Consolidation Act, 1845."

As to Claims for Compensation by yearly Tenants.

10. All Claims for Compensation made upon the Commissioners under the Provisions of this Act or any Act incorporated herewith shall, if the Person claiming to be entitled to Compensation has no greater Interest than as Tenant for a Year or from Year to Year in the Lands in respect of which the Compensation is claimed, be determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

11. The Limit for the compulsory Purchase of Lands under this Act shall be Three Years.

Powers to Commissioners to execute Works.

12. The Commissioners may embank and fill up the Bed and Shore of the River *Thames* as shown on the aforesaid Plans, and may pull down and remove any Buildings, Stairs, Piers, Landing Places, Hards, Piles, or other Erections on the prescribed Lands, and may construct thereon such Embankment, Stairs, Piers, and Landing Places, Buildings, and Works, and do all such other Things as may in their Opinion be necessary or expedient in order to carry into effect the Purposes of this Act or any of them.

For Protection of the Owners and Occupier of Dorset Wharf.

13. Nothing herein contained shall extend or be construed to extend to prevent the Trustees or Trustee for the Time being of *Taverner John Miller* Esquire, deceased, their or his Heirs and Assigns, or other the Owners or Owner for the Time being of the Land and Hereditaments known as *Dorset Wharf*, immediately adjoining a Portion of the prescribed Lands, or *George Taverner Miller*, or other the Lessee and Occupier for the Time being of the said Land and Hereditaments, his Executors, Administrators, and Assigns, from commencing and prosecuting any Action or Suit in any of Her Majesty's Courts of Record at *Westminster* which they or he would have been entitled to commence and prosecute if this Act had not been passed, for any Deterioration, Damage, Obstruction, or Injury which they or he shall or may have sustained or shall be apprehensive of sustaining in respect of *Dorset Wharf* aforesaid, in consequence of the Construction of the said Embankment and other Works authorized by this Act: Provided always, that any Damages to be recovered in any such Action, Suit, or other Proceeding, with the Costs thereof, shall be payable and shall be paid by the said Commissioners out of any Monies which may be appropriated by Parliament, and placed at the Disposal of the said Commissioners, for the Purposes of this Act, and that nothing herein contained shall entitle any Person to Damages or Costs who would not have been so entitled if this Act had not been passed.

14. Where

14. Where any Works to be done under or by virtue of this Act shall or may pass over, under, or by the Side of or so as to interfere with any Main Sewer under the Jurisdiction or Control of the Metropolitan Board of Works, the Commissioners shall not commence such Work until they shall have given to the said Metropolitan Board Fourteen Days previous Notice in Writing of their Intention to commence the same, by leaving such Notice at the principal Office of such Board, with a Plan and Section showing the Course and Inclination thereof, and other necessary Particulars relating thereto, and until such Board shall have signified their Approval of the same, unless such Board do not signify their Approval, Disapproval, or other Directions within Fourteen Days after Service of the said Plans, Sections, and Particulars as aforesaid; and the Commissioners shall comply with and conform to all Orders, Directions, and Regulations of the said Metropolitan Board in the Execution of the said Works, and shall provide by new, altered, or substituted Works in such Manner as such Board may deem necessary for the proper Protection of and for preventing Injury or Impediment to the Main Sewers herein-before referred to by or by reason of the said intended Works or any Part thereof, and shall save harmless the said Metropolitan Board against any Expense to be occasioned thereby; and all such last-mentioned Works shall be done by or under the Direction, Superintendence, and Control of the Engineer or other Officer or Officers of the said Metropolitan Board, at the Expense in all respects of the Commissioners; and all Expenses which the said Metropolitan Board may be put to by reason of the Works of the Commissioners, whether in the Execution of Works, the Preparation or Examination of Plans or Designs, Superintendence, or otherwise, shall be paid to such Board by the Commissioners; and when any new, altered, or substituted Works as aforesaid, or any Works connected therewith, shall be completed by or at the Expense of the Commissioners, under the Provisions of this Act, the same shall thereafter be as fully and completely under the Directions, Jurisdiction, and Control of the said Metropolitan Board as any Sewers or Works now are or hereafter may be; and nothing in this Act shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities of the said Metropolitan Board, but all such Rights, Powers, and Authorities shall be as valid and effectual as if this Act had not been passed; provided that no Renewal or Alteration, other than a Change of Site of existing Works, shall be deemed new Works under this Act; and if the Commissioners shall complain of any withholding of Consent on the Part of the said Board, or of any Orders and Directions and Regulations, or of any Charges sought to be imposed by such Board upon the Commissioners, in the Execution of any such Works,

For Protection of Sewers of Metropolitan Board of Works.

Works, it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department for the Time being to determine every such Difference, and by Order under his Hand to authorize the Works, and the Manner of executing the same, as he shall think fit; and after the Date of the Application by the Commissioners to the said Secretary of State no Penalty shall be incurred by any Default of the Commissioners in respect of or in relation to such Works, or the Matters in difference between the Parties.

Buildings exempt from 18 & 19 Vict. c. 122.

15. All Buildings erected on the prescribed Lands shall be exempt from the Operation of the First Part of "The Metropolitan Buildings Act, 1855."

Miscellaneous.

No Purchase to be made without the Authority of the Treasury.

16. No Purchase shall be made by the Commissioners for the Purposes of this Act without the Consent in Writing of the Commissioners of Her Majesty's Treasury, but it shall not be necessary for any Vendor or for any Purchaser from the said Commissioners to ascertain that such Assent has been given, nor shall the Commissioners be bound to produce to any such Vendor or Purchaser any Evidence of such Assent, and any such Assent may be given either generally or for any particular Purchase or Purchases, as to the said Commissioners of the Treasury may seem meet.

Authentication of Notices.

17. Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Commissioners may be given, issued, or signed by the Solicitor or Secretary for the Time being of the Commissioners, and need not be under the Common Seal of the Commissioners.

Contracts made by First Commissioner of Works to be valid.

18. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of the Powers of this Act given to the Commissioners incorporated as aforesaid shall be valid, and shall be binding on the Commissioners as if the same had been under their Corporate Seal.

Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

19. All Monies payable to the Commissioners under the Provisions of this Act from the Sale of any Materials or otherwise shall be paid to Her Majesty's Paymaster General or the Assistant Paymaster General for the Time being, or other Officer acting for the Paymaster General, whose Receipt unstamped shall be a sufficient Discharge for the same to the Persons paying the same, and such Monies so paid as aforesaid shall from Time to Time be by such Paymaster General paid over and applied as the Commissioners shall by any Order direct, and in the meantime shall be applied or invested

invested in the Purchase of Exchequer Bills, if the Commissioners shall so direct.

Orders concerning Money paid into Court may be made at Chambers.

20. All Orders which under this Act the Court of Chancery is empowered to make on Motion or Petition in relation to any Money paid into the Bank of *England* with the Privity of the Accountant General of the Court of Chancery under this Act, or the Securities in or upon which the same may be invested, or the Dividends or Interest on such Money and Securities, or the Costs of any Application, may be made by any Judge of the said Court, upon Application to him while sitting at Chambers, upon Summons, in like Manner as in other Cases in which Proceedings may be so had, subject nevertheless to any General Orders which may hereafter be made concerning the Practice, Proceedings, or Business of the said Court on any such Applications.

Penalty for obstructing Commissioners.

21. If any Person wilfully obstruct any Person acting under the Authority of the Commissioners in the lawful Exercise of the Powers vested in them under this Act he shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be recovered in a summary Manner.

Deeds not liable to Stamp Duty.

22. No Deed, Bond, or other Instrument made by, to, or with the Commissioners, for any of the Purposes of this Act, shall be subject to any Stamp Duty imposed by any Act now in force, nor to any Stamp Duty to be imposed by any future Act, unless such Instruments are specially charged therewith in such future Act.

Deeds to be enrolled in Court of Exchequer.

23. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to or in trust for Her Majesty, Her Heirs or Successors, for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Exchequer, and entered in the Books of the said Commissioners; and every such Conveyance, Assignment, or other Deed or Instrument when so enrolled shall, without any other Enrolment or Acknowledgment thereof, and without any Registry thereof, be good and available in Law, any Act of Parliament, Law, Practice, or Usage to the contrary in anywise notwithstanding.

Plan to be deposited in the Office of Works, and open to Inspection.

24. A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Commissioners, and shall remain at the said Office, to the end that all Persons may at all seasonable Times,

Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

Short Title.

25. This Act may be cited for all Purposes as "The Houses of Parliament Act, 1867."

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