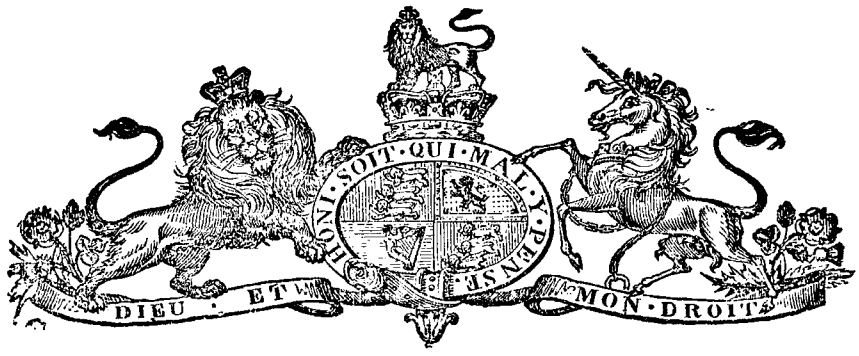



ANNO VICESIMO OCTAVO

# VICTORIÆ REGINÆ.

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## CAP. XXXII.

**An Act to enable the Secretary of State in Council of *India* to acquire additional Lands for improving the Site of the *India* Office and the Approaches thereto. [2d *June* 1865.]**

WHEREAS under the Provisions of the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, intituled *An Act to vest the Site of the* India *Office in Her Majesty for the Service of the Government of* India, the Land described in the Schedule to that Act (subject as in the same Schedule is mentioned) became vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India* as a Site for the Offices of the Secretary of State in Council of *India*, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six: And whereas certain Houses, Buildings, and Lands in the Parish of *St. Margaret, Westminster*, in the County of *Middlesex*, particularly described and shown in the Plan herein-after mentioned, are required by the Secretary of State in Council of *India* as additional Site for the Offices of his Department and for the Approaches thereto, but such Houses, Buildings, and Lands cannot be acquired without the Authority of Parliament: And whereas a Plan describing the Situation of the said Houses, Buildings, and Land, 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, has been deposited with the Clerk of the Peace for the County of *Middlesex*, at his Office at the Sessions House, *Clerkenwell*,

27 & 28 Vict. c. 51.

*Clerkenwell*, and it is expedient that Powers should be given to the Secretary of State in Council of *India* to purchase the prescribed Lands and to appropriate the same for the Purposes aforesaid: 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 for all Purposes as "The *India* Office Site and Approaches Act, 1865."

Power to Secretary of State in Council to purchase Lands.

**2.** The Secretary of State in Council of *India* for the Time being, herein-after referred to as "The Secretary of State in Council," may purchase all or any of the prescribed Lands, and appropriate the same as additional Site for the Offices of the Department of the Secretary of State in Council, and for convenient Accesses and Approaches thereto, and carry the Purposes of this Act into execution.

Lands purchased to vest in Her Majesty, &c.

**3.** All Lands purchased by the Secretary of State in Council in pursuance of this Act shall be conveyed to the Secretary of State in Council in trust for Her Majesty, Her Heirs and Successors, and shall thereupon vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India*, according to the Provisions of the Act of the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six.

Lands to continue subject to Land Tax and Rates.

**4.** All Lands purchased by the Secretary of State in Council in pursuance of this Act, and hereafter used and occupied exclusively as Offices and for the Purposes of this Act, which were at the Time of such Purchase subject to Land Tax or to Poor or other Rates, shall continue liable thereto, but they shall not be assessed to any Tax or Rate at a higher Value than that at which they were assessed at the Time of the Purchase thereof, so long as they shall be so used and occupied as aforesaid.

Power to enter on Lands.

**5.** The Secretary of State in Council, his 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 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

**6.** "The Lands Clauses Consolidation Act, 1845," and the Act amending the same, passed in the Session of the Twenty-third and Twenty-fourth Years of Her present Majesty, Chapter One hundred and six, shall be incorporated with this Act, with the Exceptions and Additions and subject to the Provisions herein-after contained; (that is to say,)

(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

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 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 said incorporated Acts shall be read as if the Expression "the Promoters of the Undertaking" were in the Singular Number, and the Secretary of State in Council shall be deemed and taken to be the Promoter 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 Hand and Seal of the Secretary of State in Council, and shall be sufficient without the Addition of the Sureties in the said Section mentioned.

Extinction of Rights of Way and other Easements.

**7.** Upon the Purchase by the Secretary of State in Council of the prescribed Lands or any Part thereof, save as herein-after provided in Section Eleven of this Act, all Rights of Way, Rights of laying down or continuing any Pipes, Sewers, or Drains on, through, or under such Lands or Part thereof, and all other Rights or Easements in or relating to such Lands or Part thereof, shall be extinguished, and all the Soil of such Ways and the Property in the Pipes, Sewers, or Drains shall vest in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India*, subject to this Provision, that all Persons and Bodies of Persons, corporate or unincorporate, may recover from the Secretary of State in Council 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 Lands Clauses Consolidation Act, 1845."

Compensation in case of Tenants at Will, &c.

**8.** All Claims for Compensation made upon the Secretary of State in Council 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."

Powers for compulsory Purchases limited.

**9.** The Period within which the Powers for the compulsory Purchase of Lands under this Act may be exercised shall be Five Years from the passing of this Act.

Powers to Secretary of State in

**10.** The Secretary of State in Council may pull down and remove any Buildings on the prescribed Lands, and may construct thereon

Council to execute Works.

thereon such Buildings and Works, and do all such other Things as may in his Opinion be necessary or expedient in order to carry the Purposes of this Act into execution.

As to Rights of Metropolitan Board of Works.

**11.** Nothing in this Act shall extend to take away or impair any Rights or Jurisdiction of the Metropolitan Board of Works in relation to any Sewers, Drains, or Watercourses.

Exemption from Building Act.

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

Authentication of Notices.

**13.** Every Notice, Summons, Writ, or other Document required to be given, issued, or signed by or on behalf of the Secretary of State in Council may be given, issued, or signed by the Principal Secretary of State for *India* for the Time being, or One of his Under Secretaries of State, or the Solicitor for the Time being of the Secretary of State in Council, and need not be under Seal, and may be in Writing or in Print, or partly in Writing and partly in Print.

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

**14.** 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, 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 the Secretary of State in Council.

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

Plan to be deposited in India Office and to be open for Inspection.

**16.** A Copy of the Plan of the prescribed Lands shall be deposited at the Office of the Secretary of State in Council, and shall remain at the said Office, to the end that all Persons may at all seasonable Times, on Payment of a Fee of One Shilling, have Liberty to inspect the same.

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