CAP. XXVII.

An Act to amend The Dockyard Extensions Act, 1865. [18th *May* 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:

Sect. 1. of 28 & 29 Vict. c. 51. construed as if 30th June had been inserted instead of 31st March.

1. The Dockyard Extensions Act, 1865, shall be construed as if the Date of the Thirtieth Day of *June* One thousand eight hundred and sixty-six had been inserted in Section One of that Act instead of the Date of the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Short Titles.

2. The said Act and this Act may be cited as The Dockyard Extensions Acts, 1865 and 1866.

CAP. XXVIII.

An Act to enable the Public Works Loan Commissioners to make Advances towards the Erection of Dwellings for the Labouring Classes. [18th *May* 1866.]

'WHEREAS by "The Labouring Classes Lodging Houses Act, 1851," Powers were vested in certain Local Authorities for the Purpose of facilitating the Erection of Lodging Houses for the Labouring Classes:

'And whereas it is desirable that further Provision should be made for facilitating and encouraging the Erection of Dwellings for the Labouring Classes in populous Places:'

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 Labouring Classes Dwelling Houses Act, 1866."

Act incorporated with 14 & 15 Vict. c. 34.

2. This Act shall be deemed to be incorporated with and shall be taken as Part of "The Labouring Classes Lodging Houses Act, 1851," and the Two Acts shall be read and construed together as if they were One Act.

Application of 24 & 25 Vict. c. 80. to this Act.

3. All the Clauses, Powers, Authorities, Provisoes, Enactments, Directions, Regulations, Restrictions, Privileges, Priorities, Advantages, Penalties, and Forfeitures contained in and conferred and imposed by the Act of the Session of the Twenty-fourth and Twenty-fifth Years of Her Majesty's Reign, Chapter Eighty (Public Works and Harbours Act), and the Acts therein referred to, or any of them, so far as the same can be made applicable and are not varied by this Act, shall be taken to extend to this Act, and to everything to be done in pursuance of this Act, and as if the same were herein repeated and set forth.

Authorities and Persons to whom Loans may be made.

4. For the Purpose herein-after mentioned, the Public Works Loan Commissioners, as defined by the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, may out of the Funds for the Time being at their Disposal from Time to Time advance on Loan to any such Local or other Authority as herein-after mentioned, namely,

Any Council, Board, or Commissioners authorized to carry into execution "The Labouring Classes Lodging Houses Act, 1851;"

Any Local or other Authority invested with Powers of Town or Local Government and Rating under any Public General or any Local Act, by whatever Name such Local or other Authority may be called;

Any

Any Local Authority acting under the "Nuisances Removal Act, 1855," or any Act or Acts amending the same; 18 & 19 Vict. c. 121.

or to any such Body or Proprietor as herein-after mentioned, namely,

Any Railway Company, or Dock or Harbour Company, or any other Company, Society, or Association established for the Purposes of this Act or for trading or manufacturing Purposes;

Any private Person entitled to any Land for an Estate in Fee Simple, or for any Term of Years absolute, whereof not less than Fifty Years shall for the Time being remain unexpired;

And any such Local or other Authority, or any such Body or Proprietor, may from Time to Time borrow from the Public Works Loan Commissioners such Money as may be required for the Purpose of this Act, subject and according to the following Provisions;

1. Such Advance on Loan shall be made for the Purpose of assisting in the Purchase of Land and Buildings, or in the Erection, Alteration, and Adaptation of Buildings to be used as Dwellings for the Labouring Classes, and in providing all Conveniences which may be deemed proper in connexion with such Dwellings: Objects of Loans.

2. Any such Advance may be made whether the Local or other Authority or Body or Proprietor receiving the same has or has not Power to borrow on Mortgage or otherwise, independently of this Act; but nothing in this Act contained shall repeal or alter any Regulation, statutory or otherwise, whereby any Company may be restricted from borrowing until a definite Portion of Capital is subscribed for, taken, or paid up:

3. No Sum shall be advanced without the Approval of the Commissioners of Her Majesty's Treasury of the borrowing thereof, signified by some Writing under the Hand of One of their Secretaries or Assistant Secretaries:

4. It shall be lawful for the said Commissioners of Her Majesty's Treasury to make such Rules and Regulations as they shall from Time to Time think proper with respect to Applications for Advances under this Act, and the Terms and Conditions upon which such Advances are to be made, and to issue such Instructions and Forms as they may think proper for the Guidance of and Observance by Persons applying for or receiving Loans, or executing Works, or rendering Accounts of Monies expended under this Act; or regarding the Class of Dwellings towards the providing of which such Loans may be made, and the Adaptation thereof to the Purposes intended, and as to the Mode of providing for their Maintenance, Repair, and Insurance: Rules and Regulations.

5. The Period for the Repayment of the Sums advanced shall not exceed Forty Years: Currency of Loans.

6. The Repayment of the Money advanced, with Interest thereon at such Rate as shall be agreed upon, but not at a less Rate than Four Pounds *per Centum per Annum*, shall be secured as follows; namely, in the Case of an Advance to any such Local or other Authority as aforesaid, either by a Mortgage solely of the Rates leviable by such Authority, or by such other Mortgage as herein-after mentioned, or by both; and in any other Case by a Mortgage of the Estate or Interest of any such Local or other Authority, or of any such Body or Proprietor as aforesaid, in the Land or Dwellings for the Purposes of which the Advance is made; and in the Case of an Advance to a Company any Part of whose Capital remains uncalled up or unpaid, by a Mortgage also of all Capital so remaining uncalled up or unpaid; and any such Mortgage as aforesaid may be taken either alone or together with any other Security which may be agreed upon; but it shall not be incumbent on the Public Works Loan Commissioners to require any other Security:

7. No Money shall be advanced on Mortgage of any Land or Dwellings solely, unless the Estate therein proposed to be mortgaged shall be either an Estate in Fee Simple or an Estate for a Term of Years absolute, whereof not less than Fifty Years shall be unexpired at the Date of the Advance:

8. The Money advanced on the Security of a Mortgage of any Land or Dwellings solely shall not exceed One Moiety of the Value, to be ascertained to the Satisfaction of the Public Works Loan Commissioners, of the Estate or Interest in such Land or Dwellings proposed to be mortgaged; but Advances may be made by Instalments from Time to Time as the building of the Dwellings on the Land mortgaged progresses, so that the total Advance do not at any Time exceed the Amount aforesaid; and a Mortgage may be accordingly made to secure such Advances so to be made from Time to Time:

9. For the Purposes of this Act every such Local or other Authority or Body as aforesaid is hereby authorized to purchase, take, and hold Land, and if not already a Body Corporate shall, for the Purpose of holding such Land under this Act, and of suing and being sued in respect thereof, be nevertheless deemed a Body Corporate with perpetual Succession.

Incorporation of 8 & 9 Vict. cc. 18. and 19. with this Act.

5. The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation (*Scotland*) Act, 1845, and any Act amending the same, except the Clauses in the said Acts respectively with respect to the Purchase and taking of Lands otherwise than by Agreement, shall be incorporated with this Act, and for the Purposes of those Acts this Act shall be deemed the Special Act; and any such Local or other Authority or Body or Proprietor as aforesaid exercising the Powers of this Act shall be deemed the Promoters of the Undertaking.

Incorporation of 10 & 11 Vict. c. 16. with this Act.

6. The Clauses of the Commissioners Clauses Act, 1847, with respect to the Mortgages to be executed by the Commissioners, except so far as the same may be inconsistent with the Provisions of the said Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Eighty, or of any of the Acts therein recited, shall be incorporated with this Act; and in the Construction of this Act and of the said incorporated Clauses this Act shall be deemed the Special Act; and the Local or other Authority, or the Body or Proprietor, to whom the Loan is made, shall be deemed to be the Commissioners; but the said incorporated Clauses shall not, so far as they prescribe the Manner of executing Mortgages, or so far as they require a Register to be kept of Mortgages, or Transfers of Mortgages, apply to any Mortgage made under this Act by any Proprietor being a private Person; and all Mortgages executed by any Proprietor being a private Person shall be executed in the usual Manner.

Special Powers of Mortgagees.

7. Every Mortgage under this Act shall confer on the Mortgagee thereunder for the Time being all the Rights, Powers, and Privileges conferred on Mortgagees by Part II. of the Act of the Session of the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter One hundred and forty-five, intituled *An Act to give to Trustees, Mortgagees, and others certain Powers now commonly inserted in Settlements, Mortgages, and Wills;* and any such Mortgage may confer on the Mortgagee such further Powers of Sale and other Powers, and may also contain all such Covenants and Provisions, as may be agreed upon; and nothing contained in this Act or in any Clauses incorporated in the "Labouring Classes Lodging Houses Act, 1851," or in this Act, shall be deemed to limit or prevent the Enforcement of any Rights or Remedies which, at Law or in Equity or by Statute, may be otherwise incidental to any such Mortgage, either under the Acts relating to the Public Works Loan Commissioners, or otherwise.

Powers to Companies.

8. Any Railway Company, or Dock or Harbour Company, or any other Company, Society, or Association, established for trading or manufacturing Purposes in the course of whose Business or in the Discharge of whose Duties Persons of the Labouring Class are employed, may and are hereby (notwithstanding any Act of Parliament, or Charter, or any Rule of Law or Equity to the contrary,) authorized at any Time or from Time to Time to erect, either on their own Land or on any other Land (which they are hereby authorized to purchase and hold for the Purpose, and to pay for out of any Funds at their Disposal), Dwellings for the Accommodation of all or any of the Persons of the Labouring Class employed by them, and shall have all the like Powers of borrowing and other Powers which

which are herein-before conferred on any such Body or Proprietor as herein-before mentioned.

Rules to be laid before Parliament.

9. All Rules and Regulations made by the Lords Commissioners of the Treasury under the Provisions of this Act shall be laid before Parliament.

Extent of Act.

10. This Act shall not extend to *Ireland*.

CAP. XXIX.

An Act to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for *England* and *Wales*.

[18th *May* 1866.]

'WHEREAS the Inclosure Commissioners for *England* and *Wales* have, in pursuance of "The Acts for the Inclosure, Exchange, and Improvement of Land," issued their Provisional Orders for and concerning the proposed Inclosures mentioned in the Schedule to this Act, and have in their Twenty-first Annual General Report certified their Opinion that such Inclosures would be expedient; but the same cannot be proceeded with without the previous Authority of Parliament:' 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:

Inclosures in Schedule may be proceeded with.

1. That the said several proposed Inclosures mentioned in the Schedule to this Act be proceeded with.

Short Title.

2. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use either the Expression "The Annual Inclosure Act, 1866," or "The Acts for the Inclosure, Exchange, and Improvement of Land."

SCHEDULE to which this Act refers.

Inclosure.	County.	Date of Provisional Order.
Walsall Wood	Stafford	18th May 1865.
Bathford and Warleigh	Somerset	15th June 1865.
Charing and Lenham	Kent	15th June 1865.
Preston Candover	Southampton	25th May 1865.
Warmwell	Dorset	6th July 1865.
Ellergill High Cowbound	Westmorland	3d August 1865.
Chillington	Somerset	17th August 1865.
Coaley	Gloucester	15th June 1865.
Cam	Gloucester	15th June 1865.
Minsterworth (No. 2.)	Gloucester	22d December 1865.
Southey	Southampton	25th May 1865.
Hill	Gloucester	9th January 1866.
Lockton	York	20th December 1865.
Maisemore	Gloucester	9th January 1866.