CHAPTER x.

An Act for vesting in the Metropolitan Board of Works the Garden or Inclosure in Leicester Square in the county of Middlesex, and for providing for the management thereof; and for other purposes. [8th June 1874.] A.D. 1874.

WHEREAS it would be of great local and public advantage if the garden or inclosure in Leicester Square (which is situate partly in the parish of Saint Martin-in-the-Fields and partly in the parish of Saint Ann Soho in the county of Middlesex) were transferred to and vested in the Metropolitan Board of Works, and proper provision were made for the care and management thereof:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

And whereas a plan of the said garden or inclosure, with a book of reference thereto, has been deposited at the office of the clerk of the peace for the county of Middlesex (which are in this Act referred to as the deposited plan and book of reference):

May it therefore please Your Majesty that it may be enacted; and 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; (that is to say,)

Short title.

1. This Act may be cited as "Leicester Square Act, 1874."

Provisions of certain general Acts incorporated.

2. The following enactments (as far as they are applicable for the purposes of and not inconsistent with this Act) are hereby incorporated with this Act (namely),

The Lands Clauses Consolidation Acts, 1845, 1860, and 1869.

Interpretation of term.

3. In this Act "the Board" means the Metropolitan Board of Works.

Power to take certain land.

4. Subject to the provisions of this Act the Board may enter on, take, and use the lands delineated on and described in the deposited plan and book of reference or any part thereof: Provided always, that nothing in this Act contained shall confer upon the Board any

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powers over any land not contained within the limits of the before-mentioned garden or inclosure.

Powers for compulsory purchases limited.

5. The powers of the Board for the compulsory purchase of lands under this Act shall not be exercised after the expiration of one year from the passing of this Act.

Correction of errors, omissions, &c.

6. If any omission, mis-statement, or erroneous description is found to have been made of any lands or of any owner, lessee, or occupier of any lands described or intended to be described in the deposited plan or book of reference, the Board may apply to two justices for the correction thereof, after giving ten days notice to the owners of the lands affected by the proposed correction, and if it appears to the justices that the omission, mis-statement, or erroneous description arose from mistake, they shall certify the same accordingly, stating the particulars of the omission, mis-statement, or erroneous description, and the certificate shall be deposited with the clerk of the peace for the county of Middlesex, and shall be kept by him along with the other documents to which it relates, and subject and according to the same enactments and provisions as apply to those other documents, and thereupon the deposited plan or book of reference shall be deemed to be corrected according to the certificate, and the Board may enter on, take, and use those lands accordingly.

Direction to make garden or inclosure a place of recreation.

7. The Board shall appropriate and set apart the garden or inclosure in Leicester Square aforesaid, when acquired by them under this Act, as a place of recreation for public or general use in such manner and to such extent as they from time to time think fit; and shall inclose, lay out, drain, plant, and ornament the same, and shall always keep the same open and unbuilt on.

Power to make bye-laws.

8. The Board may from time to time make byelaws for the management of the garden or inclosure aforesaid, and for preservation of order among persons therein, and for regulation of the use thereof as a place of recreation, and the provisions of the Metropolis Management Act, 1855, as amended by any subsequent Act, respecting the making, contents, confirmation, approval, publication, and evidence of byelaws, and proceedings before justices and recovery of penalties thereunder, shall extend and apply to byelaws under this Act, and byelaws under this Act shall be deemed to be byelaws within the Metropolis Management Act, 1855, and Acts amending the same.

Penalty for injury to garden or inclosure.

9. If any police constable sees any person throwing any rubbish into the garden or inclosure aforesaid, or trespassing therein, or getting over the railings or fence thereof, or stealing or damaging flowers or plants therein, or committing any nuisance therein, he may apprehend the offender by the authority of this Act, and every such offender (whether so apprehended or not) shall for every such

offence be liable on summary conviction to a penalty not exceeding forty shillings, or to imprisonment for any period not exceeding fourteen days.

Power to apply existing funds.

10. The Board may apply for purposes of this Act any money raised or authorised to be raised by them under any other Act and not required for the purposes of that other Act.

Power to borrow.

11. The Board may borrow such money as they from time to time require for purposes of this Act, and all the provisions of the Metropolitan Board of Works (Loans) Acts, 1869 to 1871, (except the limitation of amount in section thirty-eight of the first of those Acts,) shall extend and apply to such borrowing.

Saving for existing agreement between the Board and the London Central Railway Company.

12. Whereas by the London Central Railway Act, 1871 (section 74), the agreement between the Board on the one hand and Basil Thomas Woodd and John Cater on the other hand (of which agreement a copy is set forth in the first schedule to that Act) was thereby confirmed and made binding on the Board and the London Central Railway Company: Therefore, nothing in this Act contained shall take away, lessen, prejudice, alter, or affect any of the estates, rights, interests, privileges, powers, authorities, or obligations of the London Central Railway Company or the Board under the London Central Railway Act, 1871, or the said agreement, but all such estates, rights, interests, privileges, powers, authorities, or obligations shall remain and be in as full force and effect as if this Act had not been passed, anything herein contained to the contrary notwithstanding.

Saving of Board.

13. Nothing in this Act shall take away, abridge, or prejudicially affect any right, power, authority, or remedy which the Board would have had or might have exercised if this Act had not been passed.

Expenses of Act.

14. The costs, charges, and expenses preliminary to and of and incidental to the preparing, applying for, obtaining, and passing of this Act shall be paid by the Board.

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