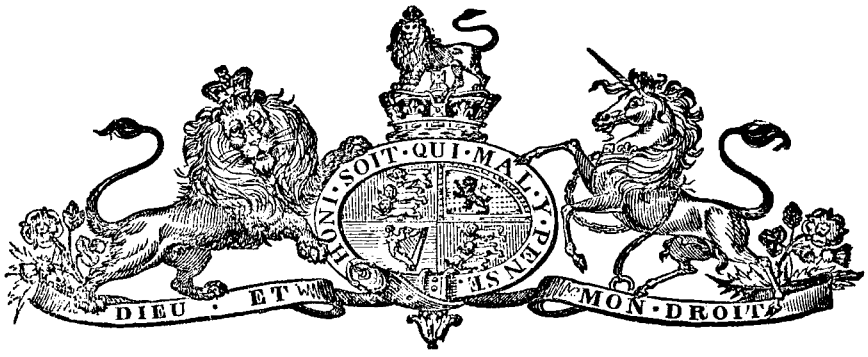


ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

CAP. XXXI.

An Act to enable the Commissioners of Her Majesty's Works and Public Buildings to acquire additional Lands for improving the Site of the new Public Offices in *Downing Street* and the Approaches thereto. [2d *June* 1865.]

WHEREAS under the Provisions of the following Acts (namely), the Act of the Eighteenth and Nineteenth Years of Her Majesty, Chapter Ninety-five, (called the "*Downing Street* Public Offices Extension Act, 1855,") the Act of the Twenty-second Year of Her Majesty, Chapter Nineteen, (called the "Public Offices Extension Act, 1859,") the Act of the Twenty-fourth and Twenty-fifth Years of Her Majesty, Chapter Thirty-three, (called the "Supplemental Public Offices Extension Act, 1861,") the Act of the same Session, Chapter Eighty-eight, and the Act of the Twenty-fifth and Twenty-sixth Years of Her Majesty, Chapter Seventy-four, the Commissioners of Her Majesty's Works and Public Buildings, as incorporated for the Purposes of the said Acts, have acquired divers Lands and Tenements in and near *Downing Street* in the City of *Westminster* as a Site for Offices for the Public Service, and such Offices are now in course of Erection: And whereas it has been found necessary for the Purpose of improving the Site of and the Approaches to such Public Offices that

18 & 19 Vict. c. 95.
22 Vict. c. 19.
24 & 25 Vict. c. 33.
24 & 25 Vict. c. 88.
25 & 26 Vict. c. 74.

that the said Commissioners should also be empowered to acquire the additional Lands described and shown on the Plans herein-after mentioned; but such Lands cannot be acquired 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, 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, and it is expedient that Powers should be given to the Commissioners of Her Majesty's Works and Public Buildings to purchase such Lands 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:

Deposit of Plans and Books of Reference descriptive of Site.

Preliminary.

Short Title.

1. This Act may be cited for all Purposes as "The Public Offices Act, 1865."

Incorporation of Commissioners.

Incorporation of Commissioners of Works for Purposes of Act.

2. The Commissioners of Her Majesty's Works and Public Buildings for the Time being herein-after referred to as "the Commissioners," as incorporated for the Purposes of the aforesaid Acts, shall be and continue so incorporated for the Purposes of this Act, with Power to hold Lands for the Purposes and subject to the Provisions of this Act.

Acquisition of Site.

Description of Purposes of Act.

3. The Purposes of this Act are the Acquisition of additional Lands for the Site of the Public Offices aforesaid and the Approaches thereto, and the constructing and doing such Works and Things as are conducive to the Attainment of the above Purposes, or any of them or incidental thereto.

Power of Commissioners to purchase Lands.

4. The Commissioners may, out of any Monies placed at their Disposal by Parliament for that Object, purchase, take, and use for the Purposes of this Act all or any of the prescribed Lands.

Commissioners to make good to Parishes of St. Margaret and

5. And whereas by the Forty-eighth Section of the said Public Offices Extension Act, 1859, after reciting that by reason of taking the Lands mentioned in the Schedule to the said Act, and for the Purposes thereof, there might be Deficiencies in the Produce of the Assessments

Assessments for the Relief of the Poor, and making certain Payments directed by Act of Parliament to be made 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 reciting that the Rates of the said Parishes had been mortgaged, and were then charged with and subject to the Repayment of certain Sums amounting in the aggregate to Thirty-five thousand four hundred and three Pounds or thereabouts Principal Money, with Interest thereon, and which Charges it was calculated would be wholly paid off on or before the Twenty-fifth Day of *December* One thousand eight hundred and seventy-three; and that it was 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 therein-before mentioned; it was enacted that the said Commissioners should, from and after the Twenty-ninth Day of *September* One thousand eight hundred and fifty-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 might from Time to Time place at their Disposal for that Purpose, pay and make good in manner therein mentioned to the said Parishes such Sum or Sums of Money, not exceeding the Sum of Four hundred Pounds *per Annum*, as should be deficient in respect of the said Rates by reason or means of taking the Land mentioned in the Schedule to the said Act for the Purposes thereof, such Deficiencies to be calculated and ascertained with reference to the Sum of Three hundred and seventy-five Pounds, being the Amount actually collected for and in respect of such Rates made in the Year One thousand eight hundred and fifty-eight in respect of Houses and Buildings which might be shut up or taken down, or of Ground taken and used by the Commissioners for the Purposes of the said Act of 1859: And by the Forty-ninth Section of the same Act it was provided that the First Payment in respect of such Deficiencies should be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty: And whereas by the said Supplemental Public Offices Extension Act, 1861, it was enacted, that in consideration of the additional Land to be taken under the Powers of that Act the maximum Sum of Four hundred Pounds *per Annum*, payable as in the said Act of 1859 was mentioned for making up such Deficiency as aforesaid, should be increased to a Sum not exceeding Five hundred and twenty Pounds *per Annum*, and the annual Amount with reference to which such Deficiencies

St. John the Evangelist Deficiencies in Rates.

Deficiencies were to be calculated and ascertained as in the said Act of 1859 mentioned, should be the Sum of Four hundred and ninety-eight Pounds in lieu of the Sum of Three hundred and seventy-five Pounds in the said Act of 1859 mentioned; and that the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the Act of 1861 now in recital should be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-two: And whereas by the Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one, Parts of the Lands acquired under the Provisions of the Acts mentioned in the Preamble to this Act were transferred to and vested in Her Majesty, Her Heirs and Successors, for the Service of the Government of *India;* and it was thereby enacted, that such Lands when so vested in Her Majesty should be and continue liable to the Payment of Eleven Thirty-fifth Parts of all the Parochial Rates and Taxes to which the Entirety of the Land acquired by the said Commissioners as aforesaid was or should be by Law subject and liable: Now be it enacted, That in consideration of the additional Land to be taken under the Provisions of this Act the maximum Sum of Five hundred and twenty Pounds *per Annum*, payable as in the said Acts of 1859 and 1861 is mentioned for making up such Deficiency as aforesaid, shall be increased to a Sum not exceeding Six hundred and seventy-seven Pounds *per Annum;* and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained as in the said Act of 1859 is mentioned shall be the Sum of Six hundred and fifty-four Pounds in lieu of the Sum of Four hundred and ninety-eight Pounds in the said Act of 1861 mentioned; and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Lands to be taken under the Provisions of this Act shall be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-six: Provided always, that this Extension shall not increase the Sums payable by Her Majesty, Her Heirs or Successors, as aforesaid in respect of the Lands vested in Her by the said Act of the Twenty-seventh and Twenty-eighth Years of Her Majesty, Chapter Fifty-one.

Power to Commissioners to enter upon Lands.

6. 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 & 9 Vict. c. 18. and 23 & 24 Vict. c. 106. incorporated.

7. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," shall, except

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.

8. Upon the Purchase by the Commissioners of the prescribed Lands or any Part thereof (save as herein-after provided), all Rights of Way, Rights of laying down or of 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 Land 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 the Commissioners, 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.

9. 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

determined in manner provided by the One hundred and twenty-first Section of "The Lands Clauses Consolidation Act, 1845."

Limit for compulsory Purchases.

10. The Limit for the compulsory Purchase of Lands under this Act shall be Five Years.

Powers to Commissioners to execute Works.

11. The Commissioners may pull down and remove any Buildings on the prescribed Lands, and may construct thereon such 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.

As to Rights of Metropolitan Board of Works.

12. 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.

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

13. 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.

14. 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 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.

15. 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.

Land purchased vested for the Public Service, subject to Provisions of 15 & 16 Vict. c. 28.

16. All Land purchased by the Commissioners under the Authority of this Act shall be vested in them for the Public Service, and shall be subject to the Provisions of the Act of the Fifteenth and Sixteenth Years of the Reign of Her present Majesty, Chapter Twenty-eight, and in all respects as if the same had been acquired under the Provisions of that Act.

Contracts made by First Com-

17. All Contracts in Writing made by the First Commissioner of Her Majesty's Works and Public Buildings in the Execution of any of

of the Powers by this Act given to the Commissioners hereby incorporated as aforesaid shall be valid, and shall be binding on the Commissioners, as if the same had been under their Corporate Seal. missioner of Works to be valid.

18. 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 Deputy 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 in the Purchase of Exchequer Bills, if the Commissioners shall so direct. Monies payable to the Commissioners to be paid to Her Majesty's Paymaster General.

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

20. 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. Penalty for obstructing Commissioners.

21. 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 not liable to Stamp Duty.

22. Every Conveyance, Assignment, or other Deed or Instrument whereby any Land by this Act authorized to be purchased is conveyed or assigned to the Commissioners for the Purposes of this Act, shall be enrolled amongst the Records of Her Majesty's Court of Deeds to be enrolled in Court of Exchequer.

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 to be open for Inspection.

23. 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, on Payment of a Fee of One Shilling, have liberty to inspect the same.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.