ANNO VICESIMO QUARTO & VICESIMO QUINTO

VICTORIÆ REGINÆ.

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C A P. XXXIII.

An Act to enable the Commissioners of Her Majesty's Works to acquire additional Land for the Purposes of the Public Offices Extension Act of 1859. [11th *July* 1861.]

WHEREAS by The Public Offices Extension Act, 1859, Twenty-second *Victoria*, Chapter Nineteen, the Commissioners of Her Majesty's Works and Public Buildings are empowered to acquire the Land and Hereditaments therein mentioned, situate near *Whitehall* and Her Majesty's Palace of *Westminster*, as a Site for the Erection of Public Offices, as therein mentioned: And whereas it has been found necessary for the Purposes of the said Act that the said Commissioners should also be empowered to acquire the additional Land and Hereditaments described in the First Schedule to this Act: And whereas a Plan describing the Land to be acquired by the said Commissioners under the Authority of this Act has been prepared by or under the Direction of the said Commissioners: 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: 22 & 23 Vict. c. 19.

1. The said Act shall be read and construed to all Intents and Purposes whatsoever (except as expressly varied by this Act) as Recited Act to be construed as if

the Lands in Schedule to this Act were comprised in that Act.

if the Land and Hereditaments comprised and described in the Schedule to this Act were comprised and described in the First Schedule to the said Act.

Plan to be deposited at the Office of the Commissioners of Her Majesty's Works.

2. The said Plan prepared as aforesaid, describing the Land to be acquired by the said Commissioners under the Authority of this Act, shall, when signed by the Commissioners for executing the Office of Lord High Treasurer, be deposited at the Office of the Commissioners of Her Majesty's Works and Public Buildings, and shall remain at the said Office, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection.

Compulsory Powers to continue for Three Years.

3. The compulsory Powers hereby or by the said Act given to the said Commissioners of Her Majesty's Works and Public Buildings for purchasing or taking the Land and Hereditaments comprised in the said First Schedule hereto shall continue for Three Years from the passing of this Act, but no longer; and it shall be lawful for the said Commissioners and they are hereby authorized to purchase the said Land and Hereditaments, with and out of any Monies which have been or which may be appropriated by Parliament, or by Her Majesty's Principal Secretary of State for *India* in Council, and placed at the Disposal of the said Commissioners for that Purpose.

Commissioners of Works to pay 2,470*l.* to Commissioners of Woods for the Property of the Crown, and such Property thereupon to vest in the Commissioners of Works for the Purposes of this Act.

4. And whereas it has been referred to *James Pennethorne* of *Whitehall Yard* in the City of *Westminster*, Surveyor, to ascertain on behalf of Her Majesty on the one Part, and the Commissioners of Her Majesty's Works and Public Buildings on the other Part, the Value of a certain Portion of the Hereditaments comprised in the First Schedule to this Act, the Property of Her Majesty in right of Her Crown, as more particularly described in the Second Schedule to this Act, subject to the Leases or Agreements for Leases affecting the same as mentioned in such Second Schedule, and such Value has been ascertained by the said *James Pennethorne* to be the Sum of Two thousand four hundred and seventy Pounds: Be it enacted, That out of the First Monies which have been or which may be appropriated and placed at the Disposal of the Commissioners of Her Majesty's Works and Public Buildings by Parliament, or by Her Majesty's Principal Secretary of State for *India* in Council, for that Purpose, the said last-mentioned Commissioners shall pay the said Sum of Two thousand four hundred and seventy Pounds to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, to be by them applied to the same Purposes as Monies arising from the Sale of Estates belonging to the Crown are by an Act of the Tenth Year of the Reign of

of King *George* the Fourth, Chapter Fifty, directed to be applied; and upon such Payment being made, the Hereditaments belonging to Her Majesty, as more particularly mentioned in the said Second Schedule to this Act, with their and every of their Rights, Members, and Appurtenances, and the Freehold and Inheritance of the same in Fee Simple, shall (subject to the Leases or Agreements for Leases in the said Second Schedule to this Act mentioned or referred to) be and become by force and virtue of this Act vested in the Commissioners of Her Majesty's Works and Public Buildings, their Successors and Assigns, for ever, who shall be deemed in Law to be in the actual Seisin and Possession thereof, subject to the Leases or Agreements for Leases mentioned in the said Second Schedule, and with the same or the like Power of Recovery of the Rents, and compelling the Performance of the Covenants in the said Leases or Agreements respectively reserved or contained, and on the Part of Tenants to be paid and performed, as were possessed by Her Majesty immediately before the passing of this Act, but freed and discharged and absolutely exonerated of and from all former and other Estates, Rights, Titles, Uses, Trusts, Intents, and Purposes, Interests, Claims, and Demands heretofore created, limited, or declared of or affecting the same, in trust nevertheless for the Purposes of this Act: Provided always, that in any Case in which other Hereditaments are comprised in the same Lease as that by which is demised any Part of the Hereditaments mentioned in the Second Schedule to this Act, nothing herein contained shall affect or prejudice the Covenants, Conditions, and Agreements contained in such Lease, so far as the same relate to the Hereditaments not mentioned in the same Schedule, it being the Intention of this Act that upon the said Payment being made to the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, all Covenants, Conditions, and Agreements contained in any such Lease, and the Rents thereby reserved, shall be distributed so that the same shall thenceforth be enforceable and recoverable by the Commissioners of Her Majesty's Works and Public Buildings with respect to the Hereditaments mentioned in the said Second Schedule to this Act, and by Her Majesty, Her Heirs and Successors, or by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or One of them, with respect to the other Hereditaments comprised in such Lease.

Maximum Sum payable for making up Deficiency in Rates to be increased.

5. Whereas by the Forty-eighth Section of the Public Offices Extension Act, 1859, after reciting that by reason of taking the Land mentioned in the Schedule to the said Act, and for the Purposes thereof, there might 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 of the Poor's Rate, as also in the Produce of other Assessments directed to be raised and levied on the Persons and

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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, and by the Forty-ninth Section of the said 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: Now be it enacted, That in consideration of the additional Land to be taken as aforesaid, the maximum Sum of Four hundred Pounds *per Annum*, payable as in the said Act mentioned, for making up such Deficiency as aforesaid, shall be increased to a Sum not exceeding Five hundred and twenty Pounds *per Annum*, and the annual Amount with reference to which such Deficiencies shall be calculated and ascertained, as in the said Act mentioned, shall 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 mentioned, and the First Payment in respect of the Deficiencies arising by reason of or with reference to the Land comprised in the First Schedule to this Act shall be made on the Twenty-ninth Day of *September* One thousand eight hundred and sixty-two.

6. Whereas

If Defendant shall plead the General Issue in any Action he may give the special Matter in Evidence.

6. Whereas by the Fifty-third Section of the said Act it is provided, that in every Action or Suit brought or prosecuted for anything done in pursuance thereof, as therein mentioned, the Defendant shall and may, at his Election, plead specially or plead the General Issue, and give the said Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Act: Be it enacted and declared, That in case any Defendant shall plead the General Issue, as aforesaid, in any Action or Suit relating to the Land and Hereditaments comprised in the said First Schedule hereto or any Part thereof, or to anything done in respect thereof, he may in like Manner give the special Matter in Evidence, and that the same was done in pursuance and by the Authority of the said Act and of this Act.

Short Title.

7. This Act may be cited as "The Supplemental Public Offices Extension Act, 1861."

The FIRST SCHEDULE referred to in the foregoing Act.

The Parish of Saint Margaret, Westminster, in the County of Middlesex.

No. on Plan.	No. in Street.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
			Duke Street.		
1	13	Dwelling House, Offices, and Yard.	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.
2	14	Dwelling House and Yard.		Frederic Yates - -	Frederick Yates.
3	15	Public Offices and Yard.		Sir Robert Gyll and the Secretary-at-War.	The Adjutant General.
4	16	Public Offices and Yard.		The Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied.
5	—	Garden Ground and Outbuildings.		Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased; John Edward Errington.
6	—	Garden Ground and Outbuildings.		Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Frederick Yates.	Frederick Yates.
7	—	Offices - -	The Crown - -	Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Sir Robert Gyll, and the Secretary-at-War.	The Adjutant General.
8	—	Garden Ground and Outbuildings.		Caroline Molesworth, Rev. Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, the Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied.
9	—	Public Street -	- - -	- - - -	The Board of Works for the Westminster District, the Chelsea Waterworks Company, the Equitable Gas Company, the Chartered Gas Company, the London Gas Company, and the Public.

The SECOND SCHEDULE referred to in the foregoing Act.

The Parish of Saint Margaret, Westminster, in the County of Middlesex.

No. on Plan.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.	Tenure.	Amount of apportioned annual Rent.
						£ s.
5	Garden Ground and Outbuildings.	The Crown	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, John Edward Errington.	John Swift and John Edward Errington, Executors of Joseph Locke, deceased, John Edward Errington.		18 0
6	Ditto -	Ditto -	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Frederick Yates.	Frederick Yates -	Agreement for Lease for a Term of 30 Years, from the 5th April 1857, at the Rent of 63*l.* per Annum apportioned.	18 0
7	Offices -	Ditto -	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Frederick Gwatkin, Sir Robert Gyll, and the Secretary-at-War.	The Adjutant General.		27 0
8	Garden Ground and Outbuildings.	Ditto -	Caroline Molesworth, Reverend Ralph Colley Smith, Richard Hunter, Fredrick Gwatkin, the Commissioners of Her Majesty's Works and Public Buildings.	Unoccupied - -	Lease (with other Property) to John Fraser and Ralph Colley Smith, Executors to the Will of General Buckley, to 5th April 1881.	4 15

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